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ABSTRACT

Presented are transcripts of hearings on legislation which is intended to improve the operations of the federal bilingual education program by (1) focusing on building the capacity of the local educational agencies to carry out bilingual education programs; (2) broadening the range of instructional approaches eligible for assistance; (3) targeting assistance on the children of limited English proficiency most in need of such programs; and (4) providing financial assistance to state educational agencies for reviewing, evaluating, and monitoring bilingual education programs. Included with the hearings' transcripts and legislative text are the testimony and prepared statements, letters, and supplementary materials of the Secretary of the Department of Education, school district and state bilingual education program directors, professional association officers, congressional representatives, college faculty, and other federal agency officials. (MSE)

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ED240856

HEARINGS ON THE BILINGUAL EDUCATION IMPROVEMENT ACT OF 1983

HEARINGS

BEFORE THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

FIRST SESSION

ON

H.R. 2682

TO IMPROVE THE OPERATIONS OF THE BILINGUAL EDUCATION PROGRAM BY FOCUSING THE PROGRAM ON BUILDING THE CAPACITY OF LOCAL EDUCATIONAL AGENCIES TO CARRY OUT PROGRAMS OF BILINGUAL EDUCATION, BY BROADENING THE RANGE OF INSTRUCTIONAL APPROACHES ELIGIBLE FOR ASSISTANCE, BY TARGETING ASSISTANCE ON THE CHILDREN OF LIMITED ENGLISH PROFICIENCY MOST IN NEED OF SUCH PROGRAMS, AND BY PROVIDING FINANCIAL ASSISTANCE TO STATE EDUCATIONAL AGENCIES FOR REVIEWING, EVALUATING AND MONITORING PROGRAMS OF BILINGUAL EDUCATION, AND MONITORING PROGRAMS OF BILINGUAL EDUCATION, AND FOR OTHER PURPOSES

HEARINGS HELD IN WASHINGTON, D.C., ON
JUNE 7, 28, 1983, AND AUGUST 3, 4, 1983

Printed for the use of the Committee on Education and Labor

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CONTENTS

	Page
Hearings held in Washington, D.C., on:	
June 7, 1983	1
June 28, 1983	89
August 3, 1983	135
August 4, 1983	161
Text of H.R. 2682	2
Statements of:	
Bell, Hon. Terrel H., Secretary, U.S. Department of Education, accompanied by Jesse M. Soriano, Director, Office of Bilingual Education and Minority Languages Affairs; and Gary L. Bauer, Deputy Under Secretary for Planning, Budget, and Evaluation	22
Davidson, Jolly Ann, president-elect, National Association of State Boards of Education, accompanied by Anita Epstein, director of governmental affairs	68
Eisenhower, Esther J., Ph. D., director, ESL program, Fairfax County, Virginia Public Schools	75
Gamboa, Carmen, director of bilingual education and English as a second language, Austin Independent School District, Texas, representing American Association of School Administrators	144
Garcia, Hon. Robert, a Representative in Congress from the State of New York	36
Gollnick, William, administrator, Oneida Tribal School, Wisconsin, accompanied by William Leap, education director, National Congress of American Indians	177
Lujan, Hon. Manuel, Jr., a Representative in Congress from the State of New Mexico	162
Martin, Tony, chairman of the board, First City National Bank of Midland, Midland, Tex	99
Orta, Awilda, director, bilingual education programs, New York City Board of Education	94
Perez, Dr. Carmen, chief, bureau of bilingual education, New York State Department of Education	139
Ravitch, Diane, adjunct associate professor, Teachers College, Columbia University	65
Shanker, Albert, president, American Federation of Teachers, AFL-CIO	61
Tarr-Whelan, Linda, director of government relations, National Education Association	113
Tsang, Sau-Lim, executive director, ARC Associates, Inc., Oakland, Calif	149
Prepared statements, letters, supplemental materials, et cetera:	
Alatis, James E., president, Joint National Committee for Languages, prepared statement of	129
Bauer, Gary L., Deputy Under Secretary for Planning, Budget, and Evaluation, U.S. Department of Education:	
"Discussion of English as a Second Language (ESL)," article entitled	61
"Discussion of the Evaluations of Transitional Bilingual Education," article entitled	57
"Discussion of the Results for Structured Immersion," article entitled	58
"Summary of Applicable Studies" (table)	50
Bell, T. H., Secretary of Education, U.S. Department of Education, prepared statement of	23
Davidson, Jolly Ann, president-elect, National Association of State Boards of Education, prepared statement of	70
Eisenhower, Esther J., Ph. D., director, ESL program, Fairfax County, Virginia Public Schools, prepared statement of	76

Page

Prepared statements, letters, supplemental materials, et cetera—Continued
Gamboa, Carmen, director of bilingual education and English as a second language, Austin Independent School District, prepared statement of 143
Garcia, Hon. Robert, a Representative in Congress from the State of New York, prepared statement of 39
Gollnick, William, administrator, Oneida Tribal School, Wisconsin, prepared statement of 174
Gonzalez, Juan C., coordinator, undergraduate program, University of Texas, letter to Chairman Perkins dated June 17, 1983 128
Loughridge, James S., superintendent of schools, Folsom Cordova Unified School District, Sacramento, Calif., letter to Hon. Robert Matsui, dated September 23, 1983 158
Lujan, Hon. Manuel, Jr., a Representative in Congress from the State of New Mexico, prepared statement of 162
Martin, Tony, chairman of the board, First City National Bank of Midland, Midland, Tex., prepared statement of 98
National Congress of American Indians, prepared statement of 184
Orta, Awilda, director, office of bilingual education, New York City Public Schools:
"Bilingual Education Program Information" dated June 27, 1983 126
Prepared statement of 90
Rios, Betty, class 2-2/203, Brooklyn, N.Y., prepared statement of 94
Perez, Carmen A., chief, bureau of bilingual education, New York State Education Department, prepared statement of 136
Perkins, Hon. Carl D., a Representative in Congress from the State of Kentucky, and chairman of the Committee on Education and Labor, opening statement of 160
Ravitch, Diane, Teachers College, Columbia University:
"Bilingual Instruction Is an Answer, but Not the Only One," from Los Angeles Times, June 6, 1983 88
Prepared statement of 67
Shanker, Albert, president, American Federation of Teachers, AFL-CIO, prepared statement of 63
Simon, Hon. Paul, a Representative in Congress from the State of Illinois:
The bilingual bill:
Editorial, Washington Post 47
Letter to the editor 48
Tarr-Whelan, Linda, director, NEA Government Relations, National Education, Washington, D.C.:
"Evaluation of Bilingual Programs," excerpted from California State Department of Education Compendium on Bilingual-Biculturation Education 122
"Federal Programs Supporting Educational Change, Vol. VI: Implementing and Sustaining Title VII Bilingual Projects," excerpted from 118
"Federal Programs Supporting Educational Change, Vol. IV: The Findings in Review," excerpted from 119
Prepared statement of 110
The Flint, Mich., Community Schools, prepared statement of 128
Towns, Hon. Ed., a Representative in Congress from the State of New York, prepared statement of 132
Tsang, Sau-Lim, ARC Associates, Inc., prepared statement of 147

HEARINGS ON THE BILINGUAL EDUCATION IMPROVEMENT ACT OF 1983

TUESDAY, JUNE 7, 1983

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to call, at 9:05 a.m., in room 2175, Rayburn House Office Building, Hon. Carl D. Perkins (chairman of the subcommittee) presiding.

Members present: Representatives Perkins, Corrada, Simon, Erlenborn, Packard, Roukema, Gunderson, and Bartlett.

Staff present: John F. Jennings, counsel; Electra C. Beahler, minority counsel for education; Richard DiEugenio, minority senior legislative associate; Mary K. O'Hara, clerk; and John William Smith, senior professional assistant.

Chairman PERKINS. A quorum is present and the committee will come to order.

The Subcommittee on Elementary, Secondary, and Vocational Education is beginning hearings today on bilingual education. This morning we will hear testimony on H.R. 2682, the Bilingual Education Improvement Act of 1983. This bill embodies the administration's proposal and was introduced by our colleagues, Congressman Erlenborn and Congressman Goodling.

H.R. 2682 makes substantial revisions in the Bilingual Education Act, including elimination of the requirement for native language instruction, a 5-year limit on funding for any school district, and a reduction in the authorization from $139.9 million to $95 million.

In the next several weeks the subcommittee will be conducting additional hearings on bilingual education.

[Text of H.R. 2682 follows:]

98TH CONGRESS
1ST SESSION

H. R. 2682

To improve the operations of the bilingual education program by focusing the program on building the capacity of local educational agencies to carry out programs of bilingual education, by broadening the range of instructional approaches eligible for assistance, by targeting assistance on the children of limited English proficiency most in need of such programs, and by providing financial assistance to State educational agencies for reviewing, evaluating, and monitoring programs of bilingual education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1983

Mr. ERLENBORN (for himself and Mr. GOODLING) introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To improve the operations of the bilingual education program by focusing the program on building the capacity of local educational agencies to carry out programs of bilingual education, by broadening the range of instructional approaches eligible for assistance, by targeting assistance on the children of limited English proficiency most in need of such programs, and by providing financial assistance to State educational agencies for reviewing, evaluating, and monitoring programs of bilingual education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That this Act may be cited as the "Bilingual Education Improvements Act of 1983".

PURPOSE; DEFINITIONS

SEC. 2. (a) Section 702(a) of the Bilingual Education Act (hereinafter referred to in this Act as "the Act") is amended by striking everything that follows paragraph (1) and inserting in lieu thereof the following:

"(2) that limited English proficiency has precluded many of these children from progressing in school and competing economically and otherwise in an English-speaking society;

"(3) that, therefore, these children of limited English proficiency have educational needs that can be met through programs of bilingual education;

"(4) that no one educational technique or method for educating children of limited English proficiency through programs of bilingual education has been proven uniformly effective;

"(5) that local educational agencies are best prepared to evaluate the needs of such children and develop programs of bilingual education;

"(6) that research and evaluation capabilities in the field of bilingual education need to be strengthened; and

"(7) that limited English proficiency has also precluded out-of-school youths and adults from participating in vocational programs that would provide them with work-related skills.

The Congress declares it to be the policy of the United States, in order to establish equal educational opportunity for all persons—

"(A) to encourage the establishment and operation, where appropriate, of educational programs using a variety of bilingual education practices, techniques, and methods which meet the needs of limited English proficient students, and

"(B) for that purpose—

"(i) to provide financial assistance to local educational agencies to develop and institutionalize their capacity for carrying out programs of bilingual education, in elementary and secondary schools and at the preschool level, designed to enable children of limited English proficiency to achieve competency in the English language thereby providing such children an opportunity to progress effectively through the educational system;

"(ii) to provide financial assistance to eligible applicants to demonstrate effective and exemplary

approaches or methods of providing children of limited English proficiency with such programs of bilingual education;

"(iii) to provide financial assistance to State educational agencies to strengthen their role in carrying out activities for the improvement of programs of bilingual education in their State; and

"(iv) to provide financial assistance to eligible applicants to carry out vocational programs for out-of-school youths and adults of limited English proficiency.".

(b) Section 703(a)(4)(A) of the Act is amended to read as follows:

"(4)(A) The term 'bilingual education' means a program of instruction, designed for children of limited English proficiency in elementary or secondary schools, in which—

"(i) there is instruction for the acquisition of English language skills and such instruction—

"(I) is designed to provide such children an opportunity to progress effectively through the educational system; and

"(II) is given with appreciation for the cultural heritage of such children; and

"(ii) for programs of bilingual education assisted under this title, the requirements in subparagraphs (B)

through (F) of this paragraph and those established pursuant to subsection (b) of this section are met.

Nothing in this definition or in any other provision of this title shall be construed to require a recipient of funds under this title to use any particular method or approach for providing education to children of limited English proficiency.".

CAPACITY BUILDING; PERSONNEL; TARGETING

SEC. 3. (a) Section 721(a) of the Act is amended by striking out in the first sentence "Funds available for grants under this part shall be used for—" and inserting in lieu thereof "The Secretary is authorized to award grants under this section to local educational agencies that demonstrate a need to build their capacity for serving children of limited English proficiency in one or more of the following areas—".

(b) Section 721(b) of the Act is amended—

(1) by striking out "and" at the end of paragraph (1)(A);

(2) by striking out paragraph (1)(B) and inserting in lieu thereof the following:

"(B) include a description (i) of the linguistic and educational needs of all children of limited English proficiency who are eligible for services under this title and who are enrolled in public and private elementary and secondary schools within the jurisdiction served by

the applicant, and (ii) of the extent to which the proposed project will meet the needs of such children;";

(3) by inserting immediately after paragraph (1)(B) (as amended in paragraph (2)) the following new subparagraphs:

"(C) be accompanied by evidence that the applicant has selected methods of instruction designed to meet the special needs of the children of limited English proficiency to be served by the project;

"(D) provide an assessment of the applicant's ability to serve children of limited English proficiency, including an assessment of the qualifications of personnel who will participate in the proposed project and of the need for further training of such personnel;

"(E) describe the manner in which the proposed project will develop the applicant's capacity to meet the special needs of children of limited English proficiency when Federal assistance under this section is no longer available, and will provide such children an opportunity to progress effectively through the educational system; and

"(F) describe the progress achieved in such capacity building by the applicant under previous assistance awarded under this title.";

(4) by striking out paragraph (2);

(5) in paragraph (3)—

(A) by striking out in the first sentence the word "part" and inserting in lieu thereof the word "section";

(B) by striking out subparagraph (A);

(C) by striking out in subparagraph (C)(i) "including only those personnel who are proficient in the language of instruction and in English, to the extent possible," and inserting in lieu thereof "including only those teachers who are proficient (I) in English, and (II) to the extent that a program includes the use of a language other than English as a medium of instruction, in such other language,";

(D) by striking out in subparagraph (E) "proficiency, and that the applicant will have the resources and commitment to continue the program when assistance under this title is reduced or no longer available;" and inserting in lieu thereof "proficiency so that such children are provided an opportunity to progress effectively through the educational system, and that the applicant will have the resources and commitment to continue the program when assistance under this section is no longer available;";

(E) by striking out in subparagraph (F) "except that if any child is enrolled in a bilingual program assisted under this title for two years" and inserting in lieu thereof "except that if any child is enrolled for two years in a program of bilingual education assisted under this title";

(F) by striking subparagraph (H) and inserting in lieu thereof the following:

"(H) the applicant demonstrates that persons other than teachers involved in instruction in projects and activities under this section are, to the extent possible, proficient in English and any other language used to provide instruction.";

(G) by striking out in subparagraphs (C) through (F), inclusive, the words "under this title" wherever they appear and inserting in lieu thereof "under this section";

(H) by redesignating subparagraphs (E), (F), (G), and (H) as subparagraphs (A), (E), (F), and (G), respectively; and

(I) by redesignating paragraph (3) as paragraph (2);

(6) in paragraph (4)—

(A) by striking "initial" in the first clause of the first sentence;

(B) by inserting after "give" a comma and the following: "from among the priorities listed in this paragraph, the highest";

(C) by inserting after "local educational agencies which", the following: "propose to assist children of limited English proficiency whose usual language is not English. In addition, the Secretary shall give priority to applications from local educational agencies which";

(D) by redesignating paragraph (4) as paragraph (3); and

(7) by striking out paragraph (5).

(c) Section 721 of the Act is amended by striking out subsection (c).

(d) Section 721(d) of the Act is amended by striking out "improve the English proficiency of children, and may also make provision for serving the needs of students of limited proficiency in Spanish" and inserting in lieu thereof "build the capacity of the Commonwealth to meet the special needs of children of limited English proficiency, and may also develop its capacity to serve the needs of children of limited Spanish proficiency".

(e) Section 721(e) of the Act is amended—

(1) in paragraph (1)—

(A) by striking out in the first sentence "title" and inserting in lieu thereof the word "section";

(B) by striking out the second sentence;

(C) by striking out "and" at the end of subparagraph (C);

(D) by redesignating subparagraph (D) as subparagraph (E);

(E) by adding immediately after subparagraph (C) the following new subparagraph:

"(D) the progress the local educational agency has made, with previous awards of financial assistance under this title, toward building its capacity for carrying out programs of bilingual education; and";

(2) by striking out in paragraph (2) "under this title" wherever they appear and inserting in lieu thereof "under this section"; and

(3) by adding immediately after paragraph (2) the following new paragraphs:

"(3) Beginning October 1, 1983, no local educational agency shall receive financial assistance under this section for more than five fiscal years. However, financial assistance to continue grants awarded to local educational agencies under this title on or before September 30, 1983, shall not be counted in applying this five-year limitation.

"(4) Subject to the five-year limitation in paragraph (3), a local educational agency may receive more than one grant under this section on or after October 1, 1983, only if it has—

"(A) submitted a new application for each grant; and

"(B) for each grant after the first grant awarded on or after such date—

"(i) demonstrated success in building its capacity to serve children of limited English proficiency under the prior grant or grants it received under this section on or after such date;

"(ii) taken measures to institutionalize such capacity; and

"(iii) demonstrated a need for further development of such capacity.".

(f) Section 721(f) of the Act is amended—

(1) by striking out in the first sentence "under this title" and inserting in lieu thereof "under this section"; and

(2) by striking out in paragraph (2) "program of bilingual instruction" and inserting in lieu thereof "program of bilingual education".

(g) Section 721 is further amended by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

TRAINING PROGRAMS

SEC. 4. (a) Section 723(a)(1) of the Act is amended by striking out "In carrying out the provisions of clauses (1) and (3) of subsection (a) of section 721, with respect to training, the Commissioner shall, through grants to, and contracts with, eligible applicants, as defined in subsection (b), provide for—" and inserting in lieu thereof "The Secretary is authorized to award grants to, and enter into contracts with, eligible applicants (as defined in subsection (b)) to provide for—".

(b) Section 723(a)(4) of the Act is amended—

(1) by striking out in the first sentence everything after "shall give priority to" and inserting in lieu thereof the following: "applications that propose to carry out training activities in areas with the greatest need for such activities."; and

(2) by striking out the second sentence.

DEMONSTRATION PROJECTS; STATE PROGRAMS; VOCATIONAL PROGRAMS

SEC. 5. Part A of the Act is amended by adding immediately after section 723 the following new sections:

27-315 O - 84 - 2

"DEMONSTRATION PROJECTS

"SEC. 724. (a) The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible applicants (as defined in section 723(b)) for—

"(1) activities designed to develop or demonstrate effective and exemplary approaches or methods of providing children of limited English proficiency with the instruction and services necessary for them to achieve competence in the English language and to progress effectively through the educational system;

"(2) activities designed to evaluate and validate effective and exemplary approaches or methods of providing such instruction and services to children of limited English proficiency;

"(3) activities designed to disseminate information on (A) effective and exemplary approaches or methods of providing children of limited English proficiency with such instruction and services and (B) the evaluation and validation of such approaches or methods; and

"(4) such other activities designed to carry out the purposes of this title as the Secretary may prescribe by regulation.

"(b) A grant may be made, or a contract or cooperative agreement entered into, under this section only upon application therefor to the Secretary by an eligible applicant (as de-

fined by section 723(b)) at such time, in such manner, and containing such information as the Secretary deems necessary.

"(c) Grants, contracts, or cooperative agreements awarded under this section for demonstration projects shall not exceed a period of three years.

"STATE PROGRAMS

"SEC. 725. (a) The Secretary is authorized to enter into agreements with State educational agencies to carry out (1) activities for reviewing and evaluating programs of bilingual education assisted under this title in such State, and (2) other activities designed to support the purposes of this title.

"(b) Each State that enters into such an agreement shall review and evaluate programs of bilingual education assisted or proposed for assistance under this title in such State, in accordance with any standards that the Secretary may prescribe by regulations.

"(c)(1) The Secretary shall pay, from the amounts appropriated pursuant to section 702(c)(1) of this title, such amounts as may be determined necessary by the Secretary in each fiscal year to each State educational agency for activities approved by the Secretary under subsection (a) of this section.

"(2) The amount of financial assistance that the Secretary is authorized to pay in any fiscal year to a State educa-

tional agency under paragraph (1) of this subsection shall be based on the relative need of the State for such assistance, but in no event shall such amount be less than $25,000 or more than ten percent of the aggregate of the amounts paid under sections 721(a) and 724 of this title to local educational agencies in the State of such State educational agency in the fiscal year preceding the fiscal year in which payment under this section is made.

"(3) State educational agencies shall use financial assistance provided under this section to carry out activities in one or more of the following areas—

"(A) the review and evaluation of programs of bilingual education, including such programs that are not funded under this title;

"(B) the provision, coordination, or supervision of technical and other forms of nonfinancial assistance to local educational agencies and private elementary and secondary schools that have such programs;

"(C) the development and administration of instruments and procedures for the assessment of the bilingual education needs of children of limited English proficiency;

"(D) the training of State and local educational agency staff to carry out the purposes of this title; and

"(E) other activities and services designed to build the capacity of State and local educational agencies to serve the educational needs of children of limited English proficiency.

"(d) Funds made available under this section for any fiscal year shall be used by the State educational agency to supplement and, to the extent practical, to increase the level of funds that would, in the absence of such Federal funds, be made available by the State for the purposes described in this section, and in no case to supplant such State funds.

"VOCATIONAL PROGRAMS

"SEC. 726. (a) The Secretary is authorized to award grants to, and enter into contracts with, eligible applicants (as defined in section 723(b)) to provide for the establishment, operation, or improvement of vocational programs that use bilingual education methods or approaches and that are designed:

"(1) to enable out-of-school youths and adults of limited English proficiency to participate in job training programs which assist such persons in acquiring work-related skills;

"(2) to train instructors and counselors for job training programs that serve out-of-school youths and adults of limited English proficiency; or

"(3) to assist eligible applicants to develop and disseminate instructional materials and methods that meet the job training needs of out-of-school youths and adults of limited English proficiency.

"(b) In making grants or contracts under this section, the Secretary shall give priority to applications that propose to carry out training activities in areas with the greatest need for such activities.

"(c) Grants may be made, and contracts entered into, under this section only upon application therefor to the Secretary by eligible applicants at such time, in such manner, and containing such information as the Secretary deems necessary.".

RESEARCH

SEC. 6. (a) Section 741 of the Act is repealed.

(b) Section 742 of the Act is amended—

(1) by redesignating such section as section 741;

(2) by striking out the word "Assistant" wherever it appears;

(3) in subsection (b)—

(A) by striking out in paragraph (8) the period at the end thereof and inserting "; and"; and

(B) by adding immediately after paragraph (8) the following new paragraph:

"(9) studies to determine alternative methods or approaches of providing educational services to children of limited English proficiency."; and

(4) in subsection (f) by striking out "October 1, 1983" and inserting in lieu thereof "October 1, 1985".

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. Section 702(b) of the Act is amended—

(1) by amending paragraph (1) to read as follows: "(b)(1) For the purpose of carrying out the provisions of this title, there are authorized to be appropriated $95,000,000 for fiscal year 1984, and such sums as may be necessary for fiscal year 1985.";

(2) by striking out paragraph (3);

(3) by redesignating paragraph (4) as paragraph (3); and

(4) by amending paragraph (3) (as redesignated in subsection (c)) to read as follows:

"(3) The Secretary shall reserve an amount not in excess of 1 per centum of the sums appropriated under paragraph (1) to carry out section 732.".

TECHNICAL AMENDMENTS; EFFECTIVE DATE

SEC. 8. (a) The Bilingual Education Act is further amended—

(1) by striking out "Commissioner" and "Commissioners" wherever they appear and inserting in lieu thereof "Secretary";

(2) by adding immediately after section 703(a)(8) the following new paragraph:

"(9) The term 'Secretary' means the Secretary of Education.";

(3) by striking out "Office of Education" wherever it appears and inserting in lieu thereof "Department of Education";

(4) by striking out "Office of Bilingual Education" wherever it appears and inserting in lieu thereof "Office of Bilingual Education and Minority Languages Affairs";

(5) in section 731—

(A) by striking out subsections (a), (b)(1), and (c)(5);

(B) by striking out in subsection (c)(1) "bilingual vocational and adult education programs" and inserting in lieu thereof "programs of vocational and adult education using bilingual education methods and techniques"; and

(C) by redesignating subsections (b)(2), (c), (c)(6), (d), (e), (f), (g), and (h) as subsections (a),

(b), (b)(5), (c), (d), (e), (f), and (g), respectively; and

(6) in section 732(a)—

(A) by striking out in the fifth sentence "bilingual methods and techniques" and inserting in lieu thereof "bilingual education methods and techniques"; and

(B) by striking out in the last sentence thereof "October 1, 1983" and inserting in lieu thereof "October 1, 1985".

(b) The amendments made by this Act shall take effect on October 1, 1983.

Chairman PERKINS. Is Mr. Garcia here this morning? He is not here.

Good morning, Mr. Secretary. We are delighted to welcome you here again. You may proceed in any manner you prefer.

STATEMENT OF HON. TERREL H. BELL, SECRETARY, U.S. DEPARTMENT OF EDUCATION, ACCOMPANIED BY JESSE M. SORIANO, DIRECTOR, OFFICE OF BILINGUAL EDUCATION AND MINORITY LANGUAGES AFFAIRS, AND GARY L. BAUER, DEPUTY UNDER SECRETARY FOR PLANNING, BUDGET, AND EVALUATION

Secretary BELL. Thank you, Mr. Chairman.

I would like to introduce my colleagues. On my left is Gary Bauer, who is Deputy Under Secretary for Planning, Budget, and Evaluation, and then on my right is Dr. Jesse Soriano, who is the Director of our Office of Bilingual Education and Minority Languages Affairs.

If the chairman approves, I shall briefly summarize my remarks——

Chairman PERKINS. You go right ahead. Without objection, your prepared statement will be inserted in the record.

Secretary BELL. Thank you very much

We are pleased to be before you this morning, and we want to express our appreciation to your two colleagues on the committee, Mr. Erlenborn and Mr. Goodling, who have agreed to sponsor this bill.

I shall very briefly emphasize some of the key points and then be ready to respond to questions.

This proposed legislation will do a number of things that will improve bilingual education. First, it will broaden the range of instructional approaches that serve limited English-proficient children. The current legislation is quite limited in this regard, and we feel we ought to permit school districts greater latitude in the type of approaches they can use to meet the needs of these children.

Second, it will focus attention on basic grants to build and enhance the capacity of school districts to carry out programs after their grants are concluded or terminated. We think an objective of the bill ought to be to make it possible for school districts to meet the needs of these students by enhancing their capacity to do so. There would be more emphasis upon providing capability through preparing teachers and curriculum materials and so on, a considerable stress upon that.

A provision in the bill that has caused a considerable amount of discussion that we think is a good provision is that it proposes to limit to 5 years the length of time that a local education agency can receive these capacity building grants. We think that during that 5-year period, if districts concentrate on preparing their staff and building up their capacity, then they will be able to carry on without continued Federal assistance. It will make it possible for us then to move to other school districts and provide services.

Another feature of the bill is that it will do more to strengthen the role of the State education agencies than the current legisla-

tion does, encourage them to be more active in helping to meet the needs of limited English-proficient children.

Then the bill proposes to target funds on projects that serve children whose language isn't English. It would concentrate resources on those projects. We know of many students that are not as good as they ought to be in English, and grew up in a home where their normal language is not English. We wanted to sharpen the focus of the current law a bit more than it does now.

Then, fifth, the proposal authorizes vocational education activities under the Bilingual Education Act. That funding is now under the Vocational Education Act. As a technical matter, all of the bilingual education programs ought to be under one act and one administrative jurisdiction.

So that, Mr. Chairman, is a quick summary of the provisions in the bill. There is a great deal more detail that we will be able to respond to during the question and answer session, and also that I presume that other witnesses will respond to.

Thank you very much.

[Prepared statement of Secretary T. H. Bell follows:]

PREPARED STATEMENT OF T. H. BELL, SECRETARY OF EDUCATION, U.S. DEPARTMENT OF EDUCATION

Mr. Chairman and Members of the Subcommittee; I am pleased to be here today to testify in support of H.R. 2682, the Bilingual Education Improvements Act of 1983, introduced by Representatives Erlenborn and Goodling. This proposal was developed by the Administration, with advice and assistance from Members of Congress and their staffs. It is one of the most important items on our legislative agenda. A companion measure, S. 1041, has been introduced in the Senate by Senator Orrin G. Hatch. I am sorry that Senator Hatch could not be here to testify today, because I know he is keenly intersted in this legislation.

With me today are Jesse Soriano, Director of the Department's Office of Bilingual Education and Minority Languages Affairs, and Gary Bauer, Deputy Under Secretary for Planning, Budget, and Evaluation. At the conclusion of my testimony, we will be happy to answer any questions you may have.

Mr. Chairman, the purposes of the Bilingual Education Improvements Act are, furst, to authorize support of a broadened range of instructional approaches for serving children of limited English proficiency; second, to focus the bilingual education Basic Grants program on building the capacity of school districts to carry out programs for children of limited English proficiency; third, to strengthen the role of State educational agencies in improving bilingual education programs; fourth, to target funding on projects which will serve children whose language is not English; and fifth, to authorize vocational education activities under the Act for out-of-school youths and adults with limited English proficiency.

Let me go into each of these purposes in greater detail. The bill would amend provisions of current law which preclude the Department from funding projects which do not use the child's native language in instruction to some extent. The proposed amendments would allow the Department to fund whatever educational approach a school district believes warranted, so long as that approach is designed to meet the special educational needs of the limited English proficient and can be justified as appropriate by the school district. This modification would bring the program into agreement with current research which indicates that no one approach is superior for meeeting the special needs of limited English proficient students in all circumstances.

The second objective of the bill is to strengthen the requirement of the Bilingual Education Act that all Basic Grants be used for building the capacity of local educational agencies (LEAs) to carry out programs for children of limited English proficiency. This would be accomplished through changes in provisions relating to project applications and grant periods. Applicants would be required to describe how their activities to be supported with Federal funds would build district capacity to meet the specal needs of limited English proficient children when Federal assistance for that purpose is no longer available. Beginning with fiscal year 1984, no district would be permitted to participate in the program for more than five years. In addi-

tion, the bill would eliminate language of the current Act, which provides for an administratively cumbersome phase-out of assistance to local districts that have no further need for assistance under the Act.

Since this bill was introduced, we have received many comments about the proposed five-year limit, particularly about the impact of such a provision on districts experiencing an influx of new language minority groups. I would like to emphasize to the Subcommittee that this provision would apply to Basic Grants, but not to Demonstrations, Training Programs, or other activities authorized under the Act. School districts could still participate in these other programs after the expiration of the five-year limit on Basic Grants. But more important, I believe that the five-year limit would serve as a mechanism for program improvement in the individual school districts. It would provide an incentive for the LEAs to use Federal funds for capacity-building activities (such as staff development, materials purchases, and enhancement of administrative systems) rather than for provision of direct services to students. Given this new focus, the districts would develop the capacity to administer bilingual education programs with their own resources after the five-year period has expired, thereby lessening both the districts' dependence of Federal funding and the Federal government's intrusion into educational services at the local level. In all, while the five-year phase-out would require some adjustment by the LEAs, we continue to believe that it is very important.

The third objective of the bill is to enhance the role of the State educational agency (SEA) in the improvement of local school district programs. At present, the only eligible activity under the State program is coordination of technical assistance. The bill would authorize assistance to SEAs for a broader range of activities, such as review and evaluation of local programs, provision of technical assistance to local teachers and administrators, and training of State and local personnel. Each SEA would receive at least $25,000 but no more than 10 percent of the total funds paid to local agencies under the Basic and Demonstration Grants programs in the preceding fiscal year. By providing for greater SEA involvement in the review and implementation of programs at the local level, this measure would contribute to building Statewide capacity to operate bilingual education programs.

An additional provision would give highest priority for funding to projects which serve children who are limited English proficient and whose usual language is not English. Although the existing statute requires that projects serve those children most in need of assistance, the new provision would establish a highest priority within the limited English proficient population. This language is needed in order to focus limited Federal resources on children who have the greatest immediate need for services.

The final amendment would enable us to fund, under the Bilingual Education Act, vocational training activities for out-of-school youths and adults of limited English proficiency. These activities are now authorized under the Vocational Education Act. This essentially technical modification would consolidate, within the same Act, all the program authorities administered by the Office of Bilingual Education and Minority Languages Affairs and would broaden the range of instructional approaches eligible for Federal support.

Mr. Chairman, I strongly encourage this Subcommittee to take favorable action on H.R. 2682. Since we transmitted this proposal to the Congress on March 15, we have received statements of support on the editorial pages of American newspapers and from organizations representing a wide variety of interests. The range of witnesses who will testify before you today indicate the breadth of support for provisions of this bill. Albert Shanker of the American Federation of Teachers and Anita Epstein of the National Association of State Boards of Education are representative of the many teachers and school board members who recognize the need for improvements in the Federal bilingual education program. Diane Ravitch of Columbia University can document the problems and potential directions for bilingual education reported by a panel of scholars convened by the Twentieth Century Fund. And Esther Eisenhower, director of bilingual education in Fairfax County, Virginia is one of many actual practitioners in bilingual education who believe that the program should permit a broader range of instructional approaches to be used at the local level.

Mr. Chairman, these are not people who are out to undermine bilingual education, which some of the more extreme advocacy groups have said our bill would do. Their interest is in providing limited-English-proficient children with the services these children need to learn English and to enter the English-speaking educational program as quickly as possible. In this way these children will be able to progress in school and to take their places in the mainstream of American society. I urge you to enact this bill so that we may achieve these results.

Mr. Soriano, Mr. Bauer, and I are now ready to take your questions.

Chairman PERKINS. Let me thank you very much.

Now, Mr. Secretary, you are asking for a rescission of fiscal 1983 funds for bilingual education, and your new bill proposes to cap this program. Don't you feel that these cuts are going to discourage bilingual programs throughout the country?

Secretary BELL. We think that the prime responsibility for meeting the needs of these children needs to rest with the local school district and the funds appropriated to them by the State legislature. Incidentally, there is quite an extensive growth of State programs for bilingual education.

Under the enormous stringencies that we have, on our budget, we felt that if we concentrate Federal funds on capacity building and let the regular school finance formulas in the States and localities, plus their categorical programs, meet the ongoing needs of these children, then we can have an effective program which is less costly than it is now. I know that funding levels are constantly under debate. This concern relates to the larger question of how large the total Department of Education budget ought to be.

I would emphasize that we tried to keep our budget proposal within the confines of a total dollar amount, so we balanced the demands here off against some other very high priority demands.

Chairman PERKINS. Let me ask you, what role do you see for native language instruction in bilingual education as a teaching and learning tool?

Secretary BELL. We think that for many children that the teacher needs to be capable of speaking the native language as a means of communicating with the students. However, criticism of this program is that it has been used to teach the native language and to enhance the capability of the native language. Of course, foreign language instruction is a worthy goal and a good purpose in education. But for limited English proficient children, their most critical need is to be able to function efficiently in the school system. They can't do that without a mastery of English. The most urgent thing is to teach English to these children.

Now, if students want to learn a language—Spanish or Chinese or some other language—there should be programs, to offer that instruction. But the prime purpose of the bilingual education program is to meet the needs highlighted in the famous Lau Supreme Court case which said that these children can't learn because they can't understand and read, write, and speak English. We think if we don't target on developing English proficiency, we will not serve the needs of these children to become a proficient part of our society. They simply must get a good grasp of English.

Much of the controversy and discussion surrounding bilingual education relates to the fact that in a few instances some teachers, and some schools, have been perpetuating the native language and offering instruction heavily in that language, rather than moving aggressively to a transition to English under the transitional bilingual education approach.

We want to see changes made that will make it possible to use other successful methods besides the transitional bilingual method, such as the English as a second language approach. We don't think

we ought to be pushing the native language so much as it has been pushed. We should aggressively and effectively teach English to students who need it to become a part of our school system. Many of them have a great capacity for learning if we can get more emphasis on English and a little less on the teaching of the native language.

Chairman PERKINS. Mr. Corrada, he has stated his case, so why don't we call on you.

Mr. CORRADA. Thank you, Mr. Chairman.

I have major concerns about this proposed legislation, Mr. Chairman. Specifically, I am deeply concerned about the provision that would eliminate the requirement for native language instruction and the prohibition on imposing any restriction on the method of instruction. It would appear to me that there are many circumstances under which native language instruction is necessary, normally with reference to children whose language is other than English and who are new arrivals in our country, as migrant children and others, but also children, who although they might have been exposed for some time to the English-speaking environment in our country, would still have a serious deficiency in knowing English.

I suggest, Mr. Chairman—and I heard someone make the statement back in New York—that this kind of approach is like teaching kids to swim. You throw them in the pool and let them come out, and if they drown, they drown. The drowning of Hispanic children means the dropping out from school. Experience shows that there are many Spanish-speaking as well as other children whose language is other than English who drop out from school precisely because there is no kind of flexibility in allowing them to be instructed in their native language. This is precisely what the bilingual education program does. It allows these children to be taught in their native language while they are in the process of becoming proficient in English, which means that rather than letting the child drown in the middle of the pool, you have the instructor trying to swim with him and getting him to the side of the pool rather than drowning.

I am also concerned about the provisions in this bill that would reduce funding from $139 million to $94 million. Mr. Chairman, if we are currently serving only 10 percent of the targeted population, that is of all children who are eligible to receive bilingual education programs, we're only serving about 10 percent of those students, how in the world can we justify a reduction in funding from $139 million to $94 million?

Then, of course, I am concerned about the 5-year limitation. It could very well be that under a number of circumstances 5 years might be enough. But I don't think that from an educational standpoint, pedagogically speaking, you can say 5 years is going to be enough and have that kind of limitation imposed on the program. I think, as the case may be, you ought to have the flexibility to have programs beyond the 5 years. Certainly I would think immediately of waivers, authority to waive that 5-year limitation as something that would be very much needed. But I don't like the 5-year limitation, just as you cannot set a 5-year limitation on achieving most of our educational goals. You have to work and see how they go in

order to determine whether you're limited to any specific amount of time.

I am concerned about including in this bill, bilingual vocational education. We already have much too limited resources under the title VII programs to now come and say "well, we're also going to fund from these provisions of the Bilingual Vocational Education Act." I think that act should be the one where these funds are provided and that bilingual vocational education should be something additional to the title VII programs that we have had in the past; otherwise, what we simply would be doing is to further restrict the availability of funds under that legislation by lumping that program into this one and then cutting the funds from $139 million to $94 million.

I know, by the way, Mr. Chairman, that the Secretary of Education is a man who is very sensitive to the educational needs of Hispanic children and other minority children in this country, but I think there are much better ways of addressing this problem.

I would like to state in these remarks that, in a country where we recognize the serious deficiency that we have in our children knowing foreign languages—and I've been to the Soviet Union, I've been to Germany, I've been to Greece, with Paul Simon and others, and I have seen how those countries are really interested in developing the ability of their children to know foreign languages. Well, what are we doing with these children who are already exposed to foreign languages? We are saying let's immerse them totally in the English schoolroom so that they will forget that basic ability that they already have of another language, rather than utilizing that pool of talent in the different minority children that we have in this country to make sure, first, that they do develop proficiency in English—and I agree that that is a fundamental major concern—while at the same time allowing them to retain that ability to speak another language. That is going to help this country to improve relationships with Latin America, with the European countries, with the Soviet Union, and others, by allowing American children to know English while not forgetting their basic language.

I suggest that we should go one step further. The English-speaking children should be more strongly exposed to foreign language by having programs in our school system that allow those children to develop a command of a second language.

So this proposal is to further exacerbate the cultural isolationism of our country. It is closing the doors. In a country where we say we have to open the door to trade with foreign countries, let's have free trade, let's eliminate our tariff barriers, we are creating new language barriers. I say this is wrong. I say the United States of America is the greatest country in the world, a great leader in the world, and what we ought to be doing is anything we can to make sure that English-speaking students learn other foreign languages and that children that come from language minorities learn English proficiently, as fast as they can, while retaining their basic ability to know Spanish or Chinese or Portugese or whatever language they are fortunate to be exposed to.

I would hope, as we go through this process of public hearings, that we will come out with a bill that will promote these basic objectives. Bilingual education may be a controversial word to some;

some people who are only English speaking feel threatened culturally because they say "what are we going to do in our school in teaching children other than English?" Well, this is a wide, broad world. We know a little more about that than just the isolationism of a schoolteacher in a classroom. Let's open the doors culturally to those children.

Again, English is the basic language. I think if they cannot understand English in the United States, they will find themselves in a very poor condition in terms of getting a job and in terms of being able to develop as human beings. So I share with you the concern that these children have to develop proficiency in English, but I challenge anyone who says that in order to be proficient in English you have to forget your basic language, that's baloney, absolute baloney. I think, educationally speaking, you can develop a child to have English proficiency while at the same time having some basic instruction in the native language, and that you would allow that skill to remain in that child for his entire life. That's a blessing for this country, an asset for this country, and something that we ought to be developing.

Secretary BELL. I agree. Children who can speak a language other than English have a great advantage over others. I am monolinguistic and I consider it a deficiency in my own background. Our intent is not to stamp out or eradicate the native language capability in these children. If you have interpreted our proposal that way, then we have not done a very good job of explaining it.

I think the best thing I could do in responding further would be to ask Dr. Soriano, who was in charge of bilingual education for the State of Michigan before he came with us and who is an expert in this area, to explain what our intent is in the bill. Our first responsibility is to help children who, until they get a grasp of English, are going to be further and further behind in their math, science, and other subjects. But we don't intend to prohibit transitional use of the native language in instruction.

Dr. Soriano, maybe you can do a better job of explaining the proposal's intent than I have, since you're the expert in this field.

Dr. SORIANO. If I can recall all the points that Congressman Corrada raised, I will try to answer them.

First of all, the 5-year limitation on the program is not a limitation on children but, rather, on the capacity-building effort of the districts. The purpose of the bill and the funding is to encourage local school districts to develop their resources so that they can continue after Federal support is gone and so that they don't become dependent upon Federal support to continue their efforts——

Mr. CORRADA. If you will yield for a moment, wouldn't it be better, in order to assess the capacity of those districts, to make evaluations and determine where they stand and whether they need further assistance or not, rather than having an arbitrary rule of a 5-year limitation?

Dr. SORIANO. In the current act we have evaluation requirements, but the requirements for a sound evaluation and assessment are even stronger in our proposed amendments than they are in the current act. So I would agree with you, and we are including it in the proposal.

Unfortunately, we have had any number of districts now who have been using title VII funds for a long, long time. We have over 105 districts who have used title VII for 10 years or more. We have 280 districts that have used title VII for 6 years or more. We have a number of districts who have used title VII for 13 years or more, since the beginning of the program. Their capacity doesn't seem to be any more improved than it was 13 years ago, apparently. The legislative proposal would allow us to spread the money out to more districts so that the same districts don't continue to get the funding.

I would like to emphasize that this bill in no way prohibits the school district from using native language instruction. It opens up the possibility for local school districts to use a variety of options.

One thing that is apparent from research is that there is no one instructional approach that is best for all children in teaching them to learn English. We have not come up with any research that indicates that native language instruction is the best way for all children. In the face of that, it is unwarranted for us to insist that local school districts use only one instructional approach.

Mr. CORRADA. Mr. Soriano, aren't——

Chairman PERKINS. Let me interrupt you for just a minute. Let's hear from Congressman Garcia. He just walked in.

Mr. GARCIA. Mr. Chairman, if I may take 2 or 3 minutes with my counsel, I would appreciate it very much.

Chairman PERKINS. That's all right. Thank you.

Go ahead.

Mr. CORRADA. Mr. Chairman, if I may just ask a question on that point.

The local school districts, with reference to their own local moneys, right now are entitled to utilize the different methods that they may see fit in terms of providing this instruction. So there is nothing in the present law as it interfaces local law and regulations that would not allow the school districts to have that flexibility.

What we are saying is, with reference to the limited resources that are provided at the Federal level, that these funds be utilized with reference to programs that use native language in the process of helping children to become proficient in English.

Dr. SORIANO. There is another difficulty with the current legislation, which is, that it precludes in some cases some of our more recent immigrant groups from receiving any assistance from title VII. Because of the uncommonness of their languages, professionals cannot be found to carry on instruction on those languages. This would be corrected if we change the legislation to allow for other options in instructional approach.

Finally, with regard to the vocational bilingual program, we are not talking about providing funding for vocational education activities by reducing that for other title VII programs. In fact, this is simply a technical change. We would add the vocational educational money to title VII. We would not be using current title VII funds to fund vocational bilingual education.

Mr. CORRADA. So those programs would not be included in the reduction of title VII funds that you're proposing, but would be added on to those programs?

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Dr. SORIANO. That's correct.

I think, in general, those would be the responses I would have to your remarks, Mr. Corrado.

Mr. CORRADA. As you know, bilingual education programs are currently limited by lack of proficient teachers. I am concerned that evaluations of bilingual programs currently in effect would not take this factor into account, and that if sufficient teachers were available, the transitional method would be far more effective than ESL or immersion programs.

How would we retain the ability of developing proficient teachers in bilingual education if we have such a reduction of funding and other restrictions contemplated in this bill?

Dr. SORIANO. We have a current study which indicates there are far more bilingual teachers in the country that we had estimated previously. The need for bilingual teachers who use another language in our programs is not as great as we had suggested earlier. In fact, there are a number of teachers who are bilingual but who are currently not involved in teaching bilingual children. They are teaching in other areas. The research indicates we have a number of those teachers. So, in fact, the need for teachers is not as great as we had earlier suggested.

The other thing is, that English as a second language teachers also have to be trained. They have to be competent teachers. But when you have a monolingual English teacher, it takes a different kind of resource to train them for ESL than it would a foreign language teacher.

Mr. CORRADA. Isn't it a fact that most ESL teachers are not familiar with a foreign language or the language of the child?

Dr. SORIANO. That is not true at all, sir. I think if you would speak with——

Mr. CORRADA. Do you have figures to——

Dr. SORIANO. I don't have figures with me but I am sure that someone can support that for me. We can get the figures for you.

Most ESL teachers, as a matter of fact, are very aware of foreign language teaching and foreign languages.

[Information referred to follows:]

According to the 1980–81 Teachers Language Skills Survey funded by the U.S. Department of Education's Office of Bilingual Education and Minority Language Affairs, the majority of ESL teachers speak a non-English language. Of the total universe of 128,900 ESL teachers, 65,400 are bilingual. In addition, there is a reserve of 89,200 ESL teachers who are bilingual, but not currently teaching. Further, if we only look at the number of teachers with academic preparation to teach non-English language background students, there are three times as many ESL teachers with non-English language skills as there are ESL teachers without non-English language skills.

Mr. CORRADA. I will yield to the gentleman.

Mr. PACKARD. Thank you very much. I really appreciate you being here, Mr. Secretary, and I am excited about the thrust of this bill. I will tell you why.

I have served for a long time on a school board, and one of the first things that we did when I began my service on a local school board was to implement the bilingual program, and we were excited about it. But the longer we worked with it, the more we found deficiencies in it. It has since become perhaps the most criticized program in all of education that I have perceived as we have

talked with people throughout the country, particularly in my own area. We are very interested in it because we have about 23 percent of my school district right now, and throughout the general history of the school district, that have Spanish surnames, and then there are other minority groups.

Particularly in my area, the San Diego area, Spanish is a very significant second language. Obviously, the teaching of that segment of our population is extremely important. We have been looking for the most effective way to teach that group of people. We moved from the bilingual program to English as a second language program because it was far more effective. We found over many, many years that our Spanish students did not come into the mainstream of education when we taught in their own native language, and they did not come into the mainstream of our society. Those were two important objectives. So the analogy that the gentleman from Puerto Rico has used, that we ought not throw them into the water, but rather to teach them—well, what the bilingual program tended to do was to not allow them to get into the water at all, and we tried to teach them to swim without getting into the water. I think the program has to do basically with the concept that they learn English and are taught in English, using their own native language as the vehicle to do such, and only as long as it's necessary. I think that's the thrust of this bill.

Certainly our experience has been that we tend to inhibit the students' long-range learning capacity when we don't teach them to learn in English. We inhibit them from getting into the mainstream of society once they get out of education.

Now, we were also dealing with a significant body of illegal aliens in our community, and still do, and we invite those illegal aliens to come and attend our schools when we teach them in their own native language only, and do not make the effort and require the effort to learn English.

So I applaud the thrust of this bill. Certainly in my own experience, which has not been a short experience—I have been involved in education almost 18 years now and recognize that on a long-range basis the bilingual program has not as effectively taught and moved them into the mainstream of education and has generally inhibited them from going on to higher education because they have not learned how to learn in English.

I am not suggesting, nor does this bill suggest, that we neglect their native language. On the contrary, I think that becomes the vehicle through which we use this program. I think what the gentleman from Puerto Rico has said what ought to be our objectives is exactly on target. We ought to teach our own people to learn a second language, a foreign language, and we ought to teach our foreigners that come in to learn English. That is precisely the thrust of this bill.

The question really becomes, how do we most effectively do that? I am saying the bilingual program has not been as effective as the American people would like it to be, nor as the natives of foreign countries would like it to be, and that this thrust would move it more into an area where I think, from what I'm hearing from my constituents, is the appropriate way.

With that, I would like to ask a question of the Secretary—and we have discussed it briefly already in this hearing—and that is concerning the 5-year funding program. Would you support some sort of a waiver provision in special cases of hardship to enable districts to receive more than 5 years of funding? Under the bill, where it would be limited, where there are no exceptions, would you support some kind of amendment that would allow that?

Secretary BELL. Yes. If the committee finds that the provisions as they are now drafted are too rigid, we would support a waiver, Mr. Packard. The point we are making is that in this program the school district ought to graduate some day, too. If the provisions now are a bit too rigid, we would support some kind of waiver provision. If the committee wants to add such a provision, we would be happy to work with you.

I haven't had a chance to talk to our sponsors, Mr. Erlenborn and Mr. Goodling, on this. We certainly want to take their wishes into consideration also.

Mr. PACKARD. A different type of question.

In the current bilingual program, are there provisions for vocational education training?

Secretary BELL. Dr. Soriano, would you respond to that?

Dr. SORIANO. Under the current title VII, there are not, sir. We can serve school age students, grades 1 to 12, with bilingual vocational education, but there is not a vocational education provision in title VII itself.

Secretary BELL. The emphasis in the legislative proposal is on out-of-school youth and adults that need vocational education.

Mr. PACKARD. Obviously there is a significant need for vocational educational training, and particularly minority groups, because they tend to go into that direction, particularly if there's an academic inhibition by language barrier, which often is not totally overcome even with a very effective second language program. So to neglect that area, or to allow that area to continue to be neglected, I think would be a significant disservice to our second language students.

Again, I applaud the thrust of this bill and feel it is the most effective way of serving the needs—and I don't think there is anyone on this committee who is not anxious to serve the needs of our second language students. The question is how do you do it most effectively. My experience has been that what we have been doing has not been as effective as what we could be doing. I am hoping this will lead us in that direction.

I have no further questions, thank you.

Mr. CORRADA [presiding]. I thank the gentleman.

Let me say, of course, I am not surprised that what we have been doing has not effectively resolved the problems. When one considers that what we have been doing has only reached 10 percent of the children who would be otherwise eligible for bilingual education, there is no surprise that we are still lagging and that we have not done all that is necessary.

I agree with my colleague, that the important thing that we have to address in reauthorizing this legislation is how we can more effectively utilize the limited resources available to allow children who are not proficient in English to become, as soon as possible,

proficient in the English language—there is no difference of opinion in that respect—while at the same time not throwing down the drain the ability and the skills of those children in foreign language, because that is a scarce resource in this country.

I would hope that as we address this issue we can take a broader look into the matter, not just saying "his name is Jose or Francisco or Juan or Anna"—those happen to be the names of my four children—"and they don't know English, let's teach them English, and that's the paramount matter that we ought to be concerned about," yes, I agree, that's the case. But at the same time, how can we assure that Anna, Francisco, Jose, and Juan are able to provide through their knowledge of a different language than English cultural diversity as well as a knowledge of foreign language which will be vital for our country in terms of international trade, in terms of foreign relations, in terms of improving understanding with other countries of the world.

I hope we do take this broad approach to the problem, rather than a narrow approach of let's teach them English, that's the only thing we need to be concerned about, and let's forget about the rest in terms of what they might be in terms of their own ethnic, cultural background.

Mr. ERLENBORN. Mr. Chairman, if you would yield for a question.

Mr. CORRADA. I surely will yield, Mr. Erlenborn.

Mr. ERLENBORN. I just want to know if I understand correctly. Do you believe that the bilingual education program should be used to teach foreign languages to English-speaking students?

Mr. CORRADA. No. What I believe is that in allowing students who are not proficient in English to develop proficiency in the English language, there is absolutely nothing wrong with using the native language of that child to make sure that child develops the proper skills—writing, reading, math and others—while he becomes proficient in English, and that we do not allow that child to drop out from school simply because we tried to expose him too soon and too promptly and in a way that he could not cope with English language instruction alone.

Mr. ERLENBORN. If you would yield further, is it your concept that that's the way this should be done and, therefore, the Congress should instruct every school district in the United States to use bilingual funds in that way, or would you, as is recommended in this bill, allow the local areas—whether it be Puerto Rico or Du Page County, Illinois—to decide for themselves what works best and to use the Federal bilingual funds in a way they think will be effective?

Mr. CORRADA. I believe that it is not the function of Congress, nor of the Federal Government, to impose on the local educational agencies any restraints in terms of their flexibility in determining how they can best serve these children, and with their own local funds, State funds, they have whatever they want to do because they don't have to use those funds responding to what we mandate here in Congress.

What I am saying is, in reference to the very limited resources of $140 million that we are currently providing, which the administration would seek to further reduce to $94 million under the terms of this bill, that there is absolutely nothing wrong with leaving the

bill as it is so that there would be some emphasis in the utilization of the native langauge approach. But that does not in any manner restrict the ability of the local education agencies in following other approaches.

I personally do tend to support the contention, as you do, that that decision ought to be made at the local level.

Mr. ERLENBORN. Well, I thank you, and maybe it's just a matter of semantics. But I hear you at one point say that we shouldn't dictate to the schools, and at another point you say we should leave the law as it is so we have an emphasis on using these funds in the way that you think is right rather than the way the school boards might think it is right.

But if we can achieve what you and I both agreed to, to make these funds available so that the school districts may choose their route to provide the necessary services, then I think—we have the same goal and I think we can work together to accomplish that by having this legislation enacted, in possibly some amended form, to take the restrictions out of the current law that prohibit our joint goal from being achieved.

Mr. CORRADA. I would just comment that, ideally speaking, what you are saying perhaps is true and correct, and that is why I tend to accept that premise. Unfortunately, however, we know very well that unless there is some kind of emphasis at the Federal level on this matter, it could very well happen that that flexibility, including the opportunity of teaching some of these children their native language, would disappear. Because there are many who, whether it be prejudices, whether they feel culturally threatened or whatever, or that they misunderstand the basic concept of bilingual education, might not care about any of these programs.

You very well know that we had to really move here in Congress very strongly to put this concept across. I am concerned that if we don't have some emphasis in our bill, as we do have in the current legislation, that we may be allowing that option in particular to disappear and the flexibility established at the local level would ultimately lead to the total demise and disappearance of this approach. That's just my concern.

Mr. PACKARD. Would the chairman kindly yield?

Mr. CORRADA. I certainly will.

Mr. PACKARD. Does the gentleman from Puerto Rico feel that it is the responsibility of this program to perpetuate and to instruct our small children coming into kindergarten and first grade, to instruct them and teach them to better understand and learn their own native language, or do you believe that the thrust of this kind of a program should be to allow them to use and maintain their own native language to the extent that they choose and their parents choose, but basically to move them into a bilingual program as quickly as possible?

Mr. CORRADA. My position is that children who reside and live in the United States should become proficient in English as quickly as possible. And I also believe that those children who possess knowledge of a language that is other than English should be educated in such a way that this does not result in their not being able any longer to command knowledge of their native language. I think it is an asset for our country to see that those children develop profi-

ciency in English and at the same time the skills that they may have in knowing other languages are developed.

Mr. PACKARD. I think there is no disagreement there at all.

I think the real question and the issue as I see it is, the quicker these young children can begin to be taught in English as a second language, that is when their learning skills for a second language is most pronounced and I think they should only use their native language as a vehicle through which to learn that second language, and to learn in that second language.

I don't believe it is only our thrust in this kind of program to teach English. I think it is also a thrust to teach in English, to teach mathematics, to teach science, to teach all of the other educational disciplines in English. That is the real thrust of this kind of a program. It is not to teach English. That is a by-product. You teach in English and obviously they learn in English, and using their own native language to help. But the objective is to teach them to become citizens that will go on to higher education or into vocational education.

I think, that being the case, our objective then in these kinds of legislation should be how do you best and most quickly achieve that goal.

Mr. CORRADA. I agree with most of what you said. However, I don't see anything wrong, while you are teaching a child to become proficient in English, let's say in the first or second grade, that if the knowledge of that child in such fields as science or math or writing and reading are so limited because of limits in the English proficiency, that there is nothing wrong with teaching that child in his or her native language math or writing and reading ability. Once he or she develops that ability to write or read in his native language, he or she will be in a better position also to do the same in English.

My concern is that that child will not have to then lag behind. By the time he or she is in the fifth grade, they are competing with children that are 2 or 3 years older because he or she lagged behind because of a lack of knowledge of these other skills. I think there is a lot in common about what we are saying.

Now, Congressman Robert Garcia has been waiting here for a while, and while I understand that other members would like to ask questions to the Secretary of Education and those who accompany him—let me ask you this question. Is there anyone who would like to address any questions to the Secretary, so we can ask him to stay here and listen to Mr. Garcia, or can we excuse the Secretary——

Secretary BELL. Mr. Chairman, I do have another commitment. As I checked your calendar this morning, I knew that you had a number of witnesses and I anticipated, maybe erroneously so, that my part would take about an hour. So if I could be excused.

Mr. CORRADA. You have been very patient, Mr. Secretary, and you will be excused. Of course, any members who wish to pose any questions to the Secretary may do so in writing and you would respond.

Secretary BELL. I would be happy to stay for a few minutes if the other members would like to raise some questions.

Mr. ERLENBORN. Might I ask if we could accommodate the Secretary so that he might leave, but possibly the other two gentlemen who were with him might remain to answer questions the committee members might have.

Secretary BELL. Yes. I would like for Mr. Bauer to have an opportunity to answer questions. He's in charge of evaluation for the Department, and I think he will have some valuable information for you in a bit.

Mr. ERLENBORN. If I might suggest, Mr. Chairman, maybe we could excuse the Secretary now and then the other two gentleman could be questioned after our friend, Bob Garcia, has an opportunity to testify.

Mr. CORRADA. Without objection, it is so ordered. We thank the Secretary for his appearance here today.

Secretary BELL. Thank you very much.

Mr. CORRADA. We will now hear from Congressman Garcia, and you will please remain, Mr. Bauer and Mr. Soriano.

STATEMENT OF HON. ROBERT GARCIA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. GARCIA. Thank you very much, Mr. Chairman.

If I may, in a somewhat unusual manner, I would like to address a question that was asked of you by my colleague from Illinois, Mr. Erlenborn, as it related to my colleague from California, Mr. Packard, and to school districts having the word as to when and how we were going to implement these programs.

The problem with that, to my colleagues, having spent prior to arriving here in the great city of Washington 13 years as a State Senator and being quite familiar with the legislative process at the State level, in theory the concept of State control and the concept of local control sounds very nice on the surface. However, the reality of the real world, when it gets down to the local level, is yet something else.

It seems to me, as one who voted against the creation of the Department of Education because I was afraid the NEA and other educational political groups would take over, as they did in New York, the UFT, take over the legislature as it pertains to educational policy, I did not want to see that happen here at the Federal level.

But I would just say we have to be brutally frank about this. We can sit here in Washington as Members of the U.S. Congress and we can pontificate as to what we think is right at the local level, but every person at the local level has their own thoughts, their own manner of dealing with their specific problems. It just seems to me that what happens when you get to the local level, you would be surprised at the people who are opposed to bilingual education without even knowing the first iota of the value of bilingual education.

Those of you who sit here on this committee and have had an opportunity to listen to witnesses and understand the process, I must tell you frankly that at least you have somewhat of a balance. But at the local level, I will tell you, as I opposed the Secretary in the first statement made by this Reagan administration,

moving the bilingual programs from categorical grants to block grants, I knew immediately what that would mean. It would mean the politically powerful at the local level would get the dollars, and that's the bottom line. That's the name of the game, because everybody wants to be able to deliver to their community as much as they possibly can. So while in theory the local concept is nice, I will tell you in reality it is not, because what happens at the local level is that many people become disenfranchised.

If I can ask each of you, each of my colleagues—I'm an 8-year-old. I have just come into your classroom. You're all teachers. I sit down. You say to me, "Mr. Roberto Garcia, we would ask you the following question." And I would look at you and I would say, "Maestro, Maestro, Yo quiero saber. Yo quiero apprender. Yo quiero entender." You are going to sit there and you're going to say "I don't know what this child is talking about." I'm an 8-year-old just entering your classroom for the first time. You're going to think and say, "Well, until you learn English, don't come back here."

That child is automatically handicapped the moment he or she sits down in that class. Those are the things that for those of us who have the ability to speak and comprehend in the English language will always understand. But you take that young Puerto Rican who has just gotten off the plane, from my father's home town in Coamo, or my mother's home town of Ponce, and you put them in a classroom at PS 43, the school I went to in the South Bronx, and you ask that child, that child is not going to understand.

What I want you to understand is that we're raising educational cripples. That's the thrust of what we're doing. We don't want to perpetuate bilingual education. You can't be competitive in this society speaking Spanish alone. Who can compete? We have got to speak English. But in order to get that youngster from point A to point B, that youngster must be able to at least start to get the basics and be taught in the basics so that that child would then be able to compete against your sons and your daughters. That's all we're asking for. We're not asking to walk taller; all we're doing is trying to walk alongside.

How fast we forget; how fast we forget. We live in a society today in which our strength across the world is our educational process. When I hear people say that bilingual education is not a program that we should implement, that in this country we speak English only, I can tell you that I spoke to the directors of one of America's largest corporations, R.J. Reynolds in Winston-Salem—I addressed a forum of 150 of their top executives from all their subdivisions. One of many questions asked was "Well, what's this bilingual stuff?" In North Carolina, that's a very legitimate question. But when you look at the annual report of the R. J. Reynolds Corp. for the fiscal year 1981-1982, 66 percent of the moneys that came into that corporation came in from foreign sources. Of the 66 percent, the overwhelming majority came from Spanish-speaking nations within this hemisphere.

The only time I made sense with these people was when I was very specific and I said to them—

Let's look at this purely from a business perspective. Forget about the pluses and minuses of children. You send your top executives to Buenos Aires or Colombia or Venezuala or Central America or to the Carribean, and your top executive comes in and speaks Spanish, you've got such a jump on everybody else.

We live 3 hours away from Central America; we live 4 hours away from South America. We're not living in the steamboat age where it takes 2 weeks to get to these places. We're there in no time at all.

The point I am trying to make, in terms of answering the question of my colleagues as it pertained to the local level, is that bilingual education I believe should not be used as a crutch—and I sit here now as the Chairman of the Congressional Hispanic Caucus, and many of you have Hispanics in your communities, and you know the issues as well as I do, and you know that yeah, there are some Hispanics who are going to take advantage and run all over us. But there are many others who just want to do the right thing. Those are the ones we are handicapping, not the ones who are hustlers and hucksters. We are going to handicap those young people who really want to learn.

Let me give you an example. Not too long ago President Reagan made a statement about a high school in my district, Morris High School, whose principal, interestingly enough, is Frances Vasquez, who was born in Puerto Rico, came here with little if no education at all. Her efforts were extolled by the President. But what the President didn't say was the following—and I think it's in response to my colleague from San Diego. What he didn't talk about was Raphael Nunez. Raphael Nunez was a person who came to this country 5 years ago. When he entered Morris High School, he didn't speak any English. He was enrolled in a bilingual program. Today, Raphael speaks English. During the 5 years that he spent at Morris, he has mastered many other subjects. But none of these areas distinguish Raphael Nunez as much as his phenomenal aptitude in computer technology. He has been encouraged to continue his computer technology.

I will tell you, frankly, that had it not been for that initial start—I'm not saying he wouldn't have made it, but I am saying it would have taken him a lot longer, that's what I'm saying. That's the key.

Now, I know that politically for many of you it pays to go after us, it pays to say "English only in America". I understand politics. But I also understand the nature of each of us. There are people here from unions who are going to testify. They've got their axe to grind. Teachers are being laid off left and right. I understand that. They are trying to protect those licenses. They are trying to make sure that those people who are members—I don't blame them. But we have one goal in this country, and that goal is to insure that education is given to every youngster, and there are youngsters who come here who do not speak English.

The first act of this administration was when Secretary Bell, I think in his fourth or fifth month, as the Secretary, came out with the block grant programs. But I want to remind all my friends that in September 1980, in the city of San Antonio, in front of that historic site called the Alamo, President Reagan said "bilingual education is necessary, it is important, and I will do everything possible

to strength bilingual education in this country." The TV clips are available.

The first act that the Secretary did was to move bilingual education, as I said before, out of the categorical grants, which ensured that they went specifically into those programs which were needed, to the block grants. The block grants in many States would have been eliminated, would have been wiped out. The State legislatures across this country, where the politics were such—would have gone the other way.

I say that to you because I don't think there is one of us in this room who can say to ourselves that we have all the answers. We don't have all the answers. I believe that in the city of New York as an example, we have more youngsters who have enrolled in bilingual programs who have, in terms of their attendance, in terms of their entrance into colleges, were able to move forward in their educational goals—the statistics are there.

I have a statement that I gave to you. The problem with me is I get emotional with these issues because I hear statements and I want to get into the statements before I read the issue.

Mr. CORRADA. Without objection, the full statement that was submitted to the subcommittee will be included in the record.

Mr. GARCIA. I guess at this point what I would like to do is thank you for that request, and if there are some questions to be asked, I would submit myself at this point for questions from my colleagues.

[The prepared statement of Congressman Robert Garcia follows:]

STATEMENT OF REPRESENTATIVE ROBERT GARCIA

As Chairman of the Congressional Hispanic Caucus, I appreciate the opportunity to testify against H.R. 2682, the Reagan Administration's bill to amend ESEA Title VII, the Bilingual Education Act.

TITLE VII'S POLITICAL POPULARITY

I asked to testify today because, as some of its critics charge, Title VII is an extremely popular program in the Hispanic community. Puerto Ricans, Mexican-Americans, and Cuban-Americans support bilingual education.

Title VII's popularity is not confined to the Hispanic community. Language-minority citizens—American Indians, Asian-Americans, and people from over 90 different language backgrounds—strongly support bilingual education programs.

There is a reason why Title VII is so popular in the language-minority communites of our nation. The reason is simple: Title VII has improved the quality of education available to language-minority students.

UNEQUAL EDUCATIONAL OPPORTUNITIES

To comprehend bilingual education's political popularity among language-minority Americans, one only has to recall the educational conditions which prompted Congress to enact Title VII fifteen years ago.

In 1968, most schools were unable—and some were unwilling—to provide effective education to language-minority children. Most language-minority students received instruction that was linguistically unintelligible and culturally insensitive. Predictably, millions of these students left school early; others graduated from school lacking the skills needed for employment or postsecondary education.

While Title VII has helped to improve the academic opportunities available to language-minority students, it has not eliminated the problems of linguistic discrimination and education neglect. And how could it be expected to when, even today, fewer than one of every ten limited-English-proficient (LEP) students are enrolled in a Title VII program.

TITLE VII'S EFFECTIVENESS

Data from all parts of the country document the effectiveness of the bilingual education programs supported by Title VII. Because other witnesses will be providing you with national data and information from various communities, I would like to focus on the operation and impact of Title VII programs in my area, New York City.

Title VII grants have helped to develop bilingual education programs in many of the New York City Public Schools which enroll large numbers of LEP students. The programs have served students from a wide variety of language-backgrounds including: Arabic, Chinese, French, Haitian-Creole, Greek, Hebrew, Italian, Korean, Russian, Spanish, and Yiddish.

At the current time, there are more than 85,000 students enrolled in the bilingual education programs of the New York City Public Schools. Like other public school programs, New York City bilingual education programs are underfunded and understaffed. They have, however, measurably improved the education of language-minority students.

School attendance is a simple measure of educational success. We all know that school drop-outs have little opportunity to learn, and even less opportunity to earn. They are less apt to play productive roles and are more apt to engage in socially-destructive behavior than their peers who remain in school.

According to the simple and reliable measure of school attendance, bilingual education has proven extremely effective in New York City schools. While the city-wide average rate of school attendance is approximately 75 percent, the rate of student attendance in bilingual education program exceeds 90 percent.

New York City students enrolled in bilingual education programs not only have better attendance records, but they also have higher graduation rates. In this regard, New York City's experience is representative of the nation's experience.

Two years ago, the National Opinion Research Center conducted a study of high-school sophomores and seniors. That study showed that bilingual education programs cut in half the difference in school drop-out rates experienced by Hispanic versus non-Hispanic students.

In New York, we have also found that bilingual education programs improve college admission rates.

Last year at the Louis D. Brandeis High School on the Upper West Side, 85 percent of the graduates who had been enrolled in the bilingual education program were admitted to institutions of higher education. Only 75 percent of the school's graduates who had not received bilingual instruction were admitted to institutions of higher education. Last year's graduates of the Brandeis bilingual program will be attending some of the nation's most prestigious colleges and universities including Princeton, Barnard, Cornell, Sarah Lawrence, Brandeis, Vassar, and M.I.T.

Statistics tell only part of the story of bilingual education's success. During a recent news conference, President Reagan cited Frances Vasquez, principal of the Morris High School in the South Bronx, for her efforts to provide programs of educational excellence.

What President Reagan did not say was that bilingual education is one of the programs which contributes to the educational excellence of Morris High School.

RAPHAEL NUNEZ

Nor did President Reagan tell the nation about the experience of Raphael Nunez who will graduate this month from Morris High School. You see, when Raphael entered Morris five years ago, he did not speak English. Because of his limited English proficiency, Raphael was enrolled in a bilingual education program.

Today, Raphael knows English. During his five years at Morris, he has also mastered the subject matter which all students are expected to learn in school.

None of this distinguishes Raphael Nunez from the vast majority of LEP students who succeed in school because of bilingual education programs. But Raphael's story is different because he has been recognized as a truly gifted student.

One of the courses that Raphael took as part of the Morris bilingual program was a computer education class. In the computer course, Raphael's phenomenal aptitude was recognized. Morris staff encouraged Raphael to pursue his computer education, and he did so.

This summer, Raphael—who only five years ago did not know English—will go to work for the New York City Public Schools. His job? To develop instructional software for the system. Raphael Nunez is prepared to contribute to his city and his country.

Raphael's story raises nagging questions. Would Raphael have been able to enroll in a computer course if he had not attended a school with exceptional programs and staff? Would Raphael's talent for computers have been recognized if he had been enrolled in a monolingual computer class? And finally, how many Raphaels are being overlooked in our nation's schools because they are unable to use—speak, understand, read, and write—the language of their monolingual teachers, counselors, and administrators.

H.R. 2682

I do not intend to address each of the changes which H.R. 2682 would make in the Bilingual Education Act. The changes are drastic and each of the bill's provisions would have a negative impact on language-minority students and the schools they attend.

The problems inherent in H.R. 2682 are the subject of detailed analyses prepared by two outstanding organizations, the National Association for Bilingual Education and the National Council of La Raza, which have unmatched expertise in the area of bilingual eduation. I ask that these analyses be made part of the hearing record.

I am going to concentrate solely on the provision in H.R. 2682 which would modify the definition of bilingual education. The proposed change—elimination of the current statutory requirement that LEP students receive instruction in English and in their native language—strikes at the Heart of the Bilingual Education Act.

The current statutory requirement regarding native language instruction is extremely flexible. It does not require schools to devote a specific amount of time to native language instruction, but rather "to the extent necessary to allow a child to achieve competence in the English language * * * * [and] to progress effectively through the educational system."

Elimination of Title VII's flexible requirement respecting native language instruction would put the Federal government in the position of supporting monolingual instructional programs in which LEP students either "sink or swim" in English. Hispanic and other language-minority parents, who in many cases were the victims of unintelligible instruction through the monolingual English "sink or swim" approach to schooling, oppose this drastic change in Title VII.

CAMPAIGN AGAINST BILINGUAL EDUCATION

For the last three years, the Reagan Administration has waged an unrelenting campaign against bilingual education. The campaign, part of a larger effort to dismantle Federal programs serving minority and disadvantaged youngsters, has played upon fear and prejudice, and has confounded patriotism with monolingualism.

The campaign against bilingual education has received backing from several ostensibly reputable organizations which have used their resources to promote popular misconceptions about the goals and conduct of bilingual education programs. These organizations have shown flagrant disregard for the facts.

On April 28, 1983, for example, the Washington Post ran an editorial in support of the Administration's proposed Title VII amendments. The editorial stated:

"The federal bilingual program, passed in 1978, provides aid to school districts that want to set up bilingual education programs. Unfortunately, the law puts the school districts in a straitjacket by requiring that students be taught only in their native language."

While the Post can be forgiven for erroneously identifying 1978 as the date when the Bilingual Education Act was passed, it must be held responsible for the statement that the law requires "that students be taught only in their native language."

As you know, Title VII requires that "there is instruction given in, and study of, English * * * *" Thus, the Post's primary argument in favor of the Administration's Title VII amendments that increased instructional flexibility is needed is predicated upon a patent lie.

Last month, another prestigious organization, the Twentieth Century Fund, released a report on Federal Elementary and Secondary Education Policy. One of the report's recommendations was "that federal funds now going to bilingual programs be used to teach non-English-speaking children how to speak, read, and write English."

Because of the publicity given to this recommendation, my colleague from California, Edward Roybal, asked the National Association for Bilingual Education to "review the twentieth Century Fund report and [to] comment on those portions of the report which pertain to bilingual education." I ask that NABE's response to Representative Roybal be included in the record of this hearing.

As NABE's well-documented analysis makes clear, "the primary purpose of Federally-assisted programs of bilingual education is to help limited-English-proficient students achieve competency in the English language." Moreover, according to the Education Department's own studies, bilingual education programs are being conducted in accordance with the Act's primary purpose.

One of the most destructive distortions regarding bilingual education concerns what kind of students need Title VII assistance. In a sinister attempt to arouse nativist passions against bilingual education, the programs opponent's have attempted to convey the notion that immigration is responsible for the large number of LEP students in our schools.

For example, the background paper to the Twentieth Century Fund report frequently refers to "immigrant" groups in its discussion of bilingual education, often confusing "immigrants" with US-born citizens. Thus, the paper states: "Unlike many of the earlier immigrant groups, those from Mexico, Puerto Rico, other islands in the Caribbean. . . ."

Puerto Ricans, of course are American citizens. Moreover, most of the students needing bilingual education are not only US citizens but also were born in the United States. According to Secretary Bell's 1982 report on the "Condition of Bilingual Education in the Nation", "three quarters of the limited-English-proficient children were born in the United States or one of its outlying areas."

In closing, I would like to address two recurrent charges against bilingual education: that it impedes English language learning and that it promotes cultural separatism.

The first charge, that bilingual education impedes English language acquisition is simply untrue. While bilingual education programs, like all education programs, vary in effectiveness from school to school, they have not been shown to impede English language acquisition. On the contrary, most evaluations have shown bilingual instruction to be an effective method for teaching English language skills.

The charge that bilingual education promotes cultural separatism is both wrong and dangerous. It is the kind of charge that creates social animosity and threatens to transform positive cultural diversity into negative social divisions.

In America today, there are millions of language-minority citizens who have not been assimilated into the economic, social, and political life of this nation. These citizens tend to live in communities where economic forces and discriminatory "customs" maintain rigid ethnic segregation. Many of these citizens have been victimized by employment discrimination; many are unemployed; and many more are underemployed and underpaid.

Make no mistake about it; bilingual education is not to blame for the social, economic, and political separation of these citizens. Few, if any, of these people ever attended a bilingual education class. Rather, they were humiliated and penalized for using their native language in school; and they were left to "sink or swim" in classrooms with teachers who couldn't communicate and texts which were unintelligible.

The thought that the Federal government might actively support "sink or swim" English language classes which ignore a child's native language skills is abhorrent to most Hispanics and most language-minority citizens. I trust that the Subcommittee finds it equally abhorrent and rejects H.R. 2682.

Mr. CORRADA. Thank you, Bob, for your testimony.

Are there any questions to Congressman Garcia?

Mr. ERLENBORN. Mr. Chairman.

Mr. CORRADA. Mr. Erlenborn.

Mr. ERLENBORN. I want to thank our colleague for his testimony and his obvious sincerity.

Let me correct what may be a misimpression from your testimony, however, that the administration in its block grant proposal was going to submerge bilingual education. I am advised that the administration's block grant bill as sent up to the Hill did not include bilingual education. Mr. Ashbrook's bill did, and I believe the bill that passed the House did, because it was patterned after Mr. Ashbrook's. But, anyhow, it was not the administration's proposal to do away with the categorical approach for bilingual.

Mr. GARCIA. Would the gentleman yield?

Mr. ERLENBORN. I would be happy to.

Mr. GARCIA. That's a fact. That's the way it ended up. But they tried like heck to——

Mr. ERLENBORN. I'm talking about the bill they sent here.

Mr. GARCIA. I understand. But that is only after the Congressional Hispanic Caucus met with the Secretary. When the initial contact was made, the Secretary came out with his position and we came out with our position, and we came out quite strongly because we felt very strongly about the issue. It was after that that they backed off and came forward with the package without bilingual education being in block grant form.

Mr. CORRADA. If the gentleman will yield, there were initial proposals in the administration, as Congressman Garcia says, to include the bilingual education program in the block grant. We had a meeting with Secretary Bell. Both Mr. Garcia and I were present. We were quite happy that Secretary Bell at that time informed us that those changes that had been under consideration would not be proposed, and when the administration's bill was sent to Congress, there was no block grant provision for bilingual education.

We did have to fight against reductions in the funding, but that's another issue.

Mr. ERLENBORN. Let me just observe that I am happy to have the record expanded a bit, because I think if we had left it as it was we would have had the record condemning the administration for having thought of doing something rather than praising them for listening to reason and doing what you urged them to do.

Mr. CORRADA. That's right. That day both Bob and I were very happy to see the understanding that Secretary Bell had for this matter. I say Secretary Bell. I presume that whatever he decided he had checked with both OMB as well as the White House.

Mrs. ROUKEMA. Mr. Chairman.

Mr. CORRADA. Mrs. Roukema.

Mrs. ROUKEMA. Just briefly, because we have a long list of witnesses. I do want to pose a rhetorical question to my good friend, Mr. Garcia.

I can assure you that I will look at the reports of the 20th Century Fund and the report that Congressman Roybal had requested from the National Association for Bilingual Education.

My concern, Bob, is this. I am neither for nor against bilingual education. I want to do the right thing for these children. I find the 20th Century Fund saying something that appeals to me as a former educator: Let's do the best thing for the children by teaching them English, which is not inconsistent with being bilingual or teaching foreign languages for all students. But there doesn't seem to be any persuasive, objective evidence to prove the case, which I think you make well in a political sense, that this is, in fact, a good program to teach not only Hispanics but the 150 other foreign languages, Asians, et cetera, that are used in this country. I don't think there is any evidence that it has done the best thing for these students.

I really think that you, as a leader in this movement, are making a persuasive case, but I would like to see some objective studies. Why does the 20th Century Fund come up with that conclusion?

Mr. GARCIA. Will the gentlelady yield?

Mrs. ROUKEMA. Yes, please.

Mr. GARCIA. It's interesting. I met with Miss Ravitch, who is a member of the 20th Century Fund, at a party given by a newspaper friend of mine, the Saturday after the Friday it was released. I said to her, "I want you to know, Diane, what you have done in this report, you have given to the Members of Congress and the State legislatures across the country a platform to go on." She says, "Bob, we're in favor of bilingual education. We think it's important. Did you read the entire report?" Honestly, I said, "No, I haven't read the report, neither do I have a copy of the report." I read what was in the New York Times that day, and I met her the following day. I said:

> What you have done here, you have given ammunition to people who are marginal, who may already have their minds made up against bilingual education programs, without really getting the facts and the figures as we deemed you should have.

I should have been asked to come before the fund. Educators who were working in the programs should have been asked to come before the fund.

What we have going on today, if I may, is that we have a serious political problem in bilingual education. From the professional point of view, as it relates to the people who are teaching in the school system, a very serious problem. There are people who are opposed to the program—I don't want to say for selfish reasons, because I think everybody looks out for themselves and looks out for their families. But it is limited in that the people were asked to testify, the people who they queried, were persons who did not have that much affection for the program to begin with.

I said that to Diane Ravitch, who incidentally—you would appreciate this—the MTA Chairman, Dick Ravitch, that's his wife, who was a member of the 20th Century Fund——

Mrs. ROUKEMA. I thought the name was familiar.

Mr. GARCIA. Yeah. And so, the point I say to my colleague from New Jersey is that—and she said, "But, Bob, that's not the thrust, that's not the intent of the 20th Century Fund."

What I would like to do, with the permission of the Chair, is get the 20th Century Fund and Diane Ravitch and the members who put that report together to come in with the other facts of that statement that they put forth, because I believe it will give them a chance, as she expressed to me, a chance to—my colleague from New Jersey has a problem with it, and I am sure other members are going to have a problem with it—at least to clear the air, because it comes up time and time again. That report is not 2 months old. The people who do not want the program are going to use this time and time and time again. That was not the thrust of that report. It had many different educational thrusts. But the Times singled out the bilingual portion of it.

So I would say to——

Mr. CORRADA. Let me advise our colleague that even today in these hearings we will have a panel where Diane Ravitch will be testifying. Furthermore, there will be other days of public hearings on this matter where those that disagree with the conclusions of that report will have the opportunity also of discussing their point of views with the subcommittee. So we do intend to have ample hearings where all sides will be properly heard on these reports.

Mr. ERLENBORN. Mr. Chairman, I am sensitive to the fact that we are going to have to conclude here by 11 o'clock, and I do want the panel to have an opportunity, but let me just make one observation.

I think it is unfortunate that the tenor of some of the comments here are that what is in the law today is the way to provide for bilingual education and the proposed legislation, the subject of these hearings, is antibilingual education. That is far from the truth. There is nothing opposed to bilingual education in the administration's proposal or in the legislation that I have sponsored.

The question is, Are we going to give an opportunity for the school boards and school districts at the local level to choose the method of providing bilingual education and give them some flexibility, or are we going to say there is only one way and we here in Washington have not only all knowledge and all morality but we can tell you exactly how to conduct the educational program as well? I just don't think that happens to be true. I think recent events show we don't have all wisdom and certainly we don't have all morality here in the Congress. Nor do we have the people who are experts in education, and even among the experts, there is no agreement that there is only one way to provide bilingual education.

So I just want the record to be straight. No one who is a sponsor of this bill, nor the administration, is antibilingual education. I think it is unfortunate that your testimony, Bob, seems to take that tack.

Mr. GARCIA. If I may, will the gentleman yield?

Mr. ERLENBORN. I would be happy to.

Mr. GARCIA. I think you may be right. It's an emotional issue. I think there is a tendency to get carried away. I find myself guilty of that from time to time when I feel strongly about something. If you got that impression, I want to ask your forgiveness and I apologize to you.

As it relates to the local school boards, again, the difficulties we face at——

Mr. CORRADA. Bob, you and I can be as emotional in English as we are in Spanish. [Laughter.]

Mr. GARCIA. Well, you're better in Spanish than I am.

Mr. CORRADA. That's one of our handicaps.

Mr. GARCIA. But just to continue on that theme, you see, the local school boards, in theory, it sounds right. It's the way I would want it, I guess, knowing my district, because I know what would happen there.

But I think the Federal Government has to monitor educational activities, unfortunately. We ended up with segregated schools for four decades because the Federal Government refused to get involved in States' rights. Many people were educationally crippled, and we're still feeling the brunt of that today. The thrust was it's the States' role. I must tell you, frankly, that it sounds good.

In terms of the local community school boards, it sounds good, but I would hope there would be something in that legislation to at least make certain that we can look and monitor and that we have some jurisdiction over what takes place within your legislation. Because if we don't, there will be parts of the country that will be

well serviced, and other parts of the country which will really, because of the will of the school boards, they will not be able to function in a manner that you and I would like to see.

Mr. ERLENBORN. I certainly would agree with you, and there will be, I am certain, if not already in the legislation, provisions that will allow the Federal Government to monitor and make certain that the programs are working. I think that has to be done under any program.

The existing program, for instance, in Chicago had bilingual education where the teachers themselves didn't know English. They were teaching in Spanish and that's all they knew. I think that sort of thing has to be monitored. I don't think that was intended under the current legislation. So, you know, I certainly agree with you. Whatever the program, we have to watch and make certain that whatever we want done is done.

Mr. GARCIA. I don't want to take the time of the committee, but just one quick second on that, Mr. Chairman, if I may, to respond.

You're right. English as a second language licenses come very easy to people. Let me take New York. In New York today there are people—the UFT has been hit hard. Schools have closed, we have lost population. So what happens is teachers are licensed in certain categories, whether it be physics or math or whatever, and there is no need for them. There is an overabundance. But there is a need for teachers in other categories, like bilingual programs, so they take teachers and they pass a proficiency test, which doesn't mean they really understand. I am sure there will be people here who will come and testify after me who will say that I'm wrong. They will use Fairfax County here in Virginia as an example.

The point I want to make is, you're absolutely right, and we should monitor that, too. If we are going to be teaching youngsters to speak English, let's make sure we have youngsters who are being taught by teachers who understand both languages well so that those teachers will be able to truly expedite this youngster out of the bilingual programs and into strictly an English program.

Mr. BARTLETT. Mr. Chairman, a very brief question. I know the time is getting late.

As a supporter of bilingual education, as I know you are, given the multiplicity of approaches and the multiplicity of factors from district to district, from child to child, from grade to grade, and from situation to situation, are there any additional flexibilities that you would propose to be put into the current law, or would you leave the current law as it is with its rather strict requirements?

Mr. GARCIA. Well, it's a good question, and I'm really not sure how I can respond to it. But just let me say it's a difficult chore, there is no question, because we have limited access here at the Federal level to monitor everything that has taken place throughout the country. My sense of it is that the staff—I am sure Jesse Soriano who heads the bilingual program does not have the personnel to go into Texas or New York or the State of Washington.

But I think what we could do is where there is a complaint that is lodged from the local level to Washington, to the Department of Education, that we expedite the investigation into those areas, so at least the people back at the local level will know that if they do

send some correspondence to the bilingual division here at the Department of Education, that somebody will respond to it. At least we'll open the door that way and people will not feel they have no access at all.

Mr. BARTLETT. So you would support at least that amount of loosening of the present law?

Mr. GARCIA. I believe we have to have some monitoring device. I will not tell you that I have the answer on how to supply that. But I will tell you that we cannot leave it to the devices solely and strictly at the local level because there are some areas that will not go along with what you and I would like to see for our youngsters. They will not.

Mr. CORRADA. Thank you, Mr. Bartlett.

Mr. Simon?

Mr. SIMON. Yes, just a comment or two—and I apologize for not being here earlier, but as you know, we have had a Democratic Caucus going on about the fiscal situation.

First of all I want to commend my colleague. I have a couple of brief comments, and I also would like to insert in the record an editorial from the Washington Post and the letter to the editor that I wrote in response if I could, Mr. Chairman.

Mr. CORRADA. Without objection, it will be included in the record.

[The information referred to follows:]

[Editorial, Washington Post]

THE BILINGUAL BILL

How do you educate children whose native language is not English? There is no single answer. Children speaking different languages, with different degrees of proficiency, of different ages and in different communities, have different needs. As long ago as 1974, the Supreme Court said that school systems are obliged to provide special help to non-English-speaking students. It wisely refrained from specifying exactly how.

The federal bilingual program, passed in 1978, provides aid to school districts that want to set up bilingual education programs. Unfortunately, the law puts the school districts in a straitjacket by requiring that students be taught only in their native language. Advocates argue that this is the only way to avoid the disparagement of other languages and cultures. But a more flexible approach is required.

The Reagan administration has come up with constructive proposals for change. It wants the 1978 law revised to (1) authorize aid to school districts for a broad range of approaches; (2) direct funding to children whose usual language is not English; and (3) concentrate on getting schools to train teachers in different methods.

At the moment neither house of Congress seems to be moving forward on the administration's proposals. That's unfortunate. The authorization for the current law expires this year, and there is widespread agreement on changes that need to be made. The Senate education subcommittee, chaired by Robert Stafford (Vt.), held hearings last year; its House counterpart has not held any. This spring, long before the election year, would be a good time for both houses to act. There is room to quibble with details in the administration's proposal; we would be reluctant to cut the $138 million currently budgeted. But these matters can be ironed out. The important thing here is to use the country's experience with bilingual education and rewrite the basic legislation to allow more flexibility.

[Letter to the Editor, Washington Post, May 26, 1983]

THE BILINGUAL BILL

(By Paul Simon, a Representative from Illinois)

Recently The Post editorialized in support of the Reagan administration's proposal for changing the thrust of the bilingual education statute ["The Bilingual Bill," April 28]. While I, too, believe this program should be continued and expanded, I have serious doubts about the administration's approach.

First, many young people whose native tongue is not English are illiterate in their own language. They may know how to speak it, but they cannot read or write in their primary language. Before they can transfer language skills over to English, they must first have skills to transfer. Instruction in the native tongue is not a mere cultural luxury, as The Post implies, but a necessity in may cases.

My second concern is over the continued "English first, last and only" approach to language education in this country. It is important that everyone in this nation become proficient in English. But it is equally crucial that all of us develop skills in other languages. Rather than trying to find ways to end bilingual programs so everyone speaks English, we ought to be improving and expanding those programs so the native English speakers can learn the language of their peers who don't speak English.

Language education is essential to the economic growth and security of our nation. Communications and would events are drawing the peoples of the world closer together, but in too many cases our dependence on one language—English—keeps the United States apart. We have the opportunity, through the tremendous reservoir of talent represented in our immigrant population, to expand U.S. language skills to the point where we can become true international trade competitors. Let's not let this opportunity slip by. Let's use the bilingual program to help the United States become a truly multilingual nation.

Mr. SIMON. One, we do need more research. I think what is happening—and I am guilty of this, too—I pick an example, and somebody else picks another example, and somebody reads an author who grew up as a Mexican-American who says "I was better off without a bilingual education." There is a paucity of real solid research based on substantial numbers, and I think that we need to be stressing research much more.

Second, I think we have to be looking at our foreign language population in the United States to a much greater degree as a resource rather than a liability, as a way of enriching our culture, as a way of teaching the rest of us that we ought to be bilingual.

One of my concerns in bilingual education is that, in fact, it really is monolingual education, not bilingual education. By all means, anyone who is in this country who cannot speak and read and understand English is at a tremendous disadvantage. That portion of our population ought to have an opportunity to learn English.

But those of us who cannot read, write and speak Spanish, German, French, Chinese, or whatever else, we ought to be enriching ourselves and we ought to be using the human resources we have to move in that direction.

Again, I appreciate the testimony, and let me add, I appreciate the comments of my colleague from Illinois, who indicates flexibility. I don't think any of us believe that the program can't be improved, and I like the suggestion of our colleague on monitoring. I think there can be better monitoring in the program. I hope we look at it as something positive, that can enrich this Nation, that can help this Nation, and let's figure out how we can do a better job.

I appreciate our colleague's testimony.

Mr. CORRADA. Thank you, Mr. Simon.

Thank you, Bob, for your testimony and the time devoted this morning to the hearing. *Thank you very much.*

Mr. GARCIA. Thank you, Mr. Chairman.

Mr. CORRADA. Mr. Bauer and Mr. Soriano would be excused now, if they wish to leave. We would rather go on to the panel, and then we may call you back at some other time in the course of these hearings. We thank you for your patience and in staying for a while.

Mr. BAUER. Mr. Chairman, I know you are pressed for time, but if we may, we would like to enter into the record several studies on the bilingual program. Because they contain a diversity of results, they have often been criticized by people supporting bilingual education. We think the diversity of results proves our major point—there is no one type of bilingual instruction that is appropriate for every geographical area in the country and for every language group.

With your permission, we would like to put those studies in the record.

Mr. CORRADA. Could you please identify the different studies by their name so we may include them in the record?

Mr. BAUER. I don't have the list with me, but we certainly will provide a list by name and specific results.

Mr. SIMON. And if the gentleman would yield, it not only shows that for every language group or every geographical sector, but for every child. There are some children who do not need any bilingual program, but there are a lot of kids who do.

Mr. BAUER. Absolutely, and again, that is the basis for our bill, which would allow a variety of approaches.

Thank you very much, Mr. Chairman.

Mr. CORRADA. Without objection, the studies will be made part of the record. You will please supply them to the subcommittee and, of course, a list of those studies you are including.

[The studies referred to follow:]

SUMMARY OF APPLICABLE STUDIES

Author	Date	Grade	Design[1]	Number[2] of Students	Languages[3] L1	Languages[3] L2	Reported Results L2	Reported Results Math
AIR (Corpus Christi)	1975b	K-1	Longitudinal; analysis of covariance	393	Spanish	English	TBE no different from submersion in 1 grade; TBE better than submersion in 1 grade	
Alvarez	1975	2	Longitudinal; analysis of covariance	147	Spanish	English	TBE no different from submersion on 4 tests	TBE no different from submersion on 4 tests
Ames and Ricks	1978	1-9	Analysis of covariance	669	Spanish and French	English	TBE no different from ESL alone	TBE better than ESL alone
Balsow-bramoe-ian et al.	1973	K-3	Analysis of covariance and other adjustments	317	Spanish	English	TBE no different from ESL alone	
Barik and Swain	1975	K-2	Longitudinal; analysis of covariance	2,253	English	French	Immersion better than ESL	Math taught in L2 no different from math taught in L1
Barik et al.	1977	2-5	Longitudinal; analysis of covariance	*	English	French		Depending on year and grade, math taught in L2 was worse than, no different from, or even better than math taught in L1
Bates	1970	3	Equivalent	56	Spanish	English	Submersion better than TBE	TBE no different from submersion

SOURCE: Baker-de Kanter Review of the Bilingual Education Literature, 1983.

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SUMMARY OF APPLICABLE STUDIES (Continued)

Author	Date	Grade	Design[1]	Number[2] of Students	Language[3] L1	Language[3] L2	Reported Results L2	Reported Results Math
Carsrud and Curtis	1980	4-5	Longitudinal; analysis of covariance	172	Spanish	English	TBE better than submersion in 1 grade; TBE no different from submersion in 1 grade	TBE no different from submersion
A. Cohen	1975	K-3	Longitudinal analysis of covariance and other adjustments	90	Spanish	English	TBE no different from submersion on 86 of 100 language skills; submersion better than TBE on 11; TBE better than submersion on 3	TBE no different from submersion in 2 of 3 grades; TBE better than submersion in 1 grade.
Cottrell	1971	K-1	Analysis of covariance	470	Navajo	English	TBE no different from submersion	
Covey	1973	9	Random assignment	200	Spanish	English	TBE better than submersion	TBE no different from submersion
Danoff et al.	1977, 1978	2-6	Analysis of covariance and other adjustments; big study	8,900	Several	English	Submersion better than TBE	TBE no different from submersion
Diaz	1979	9	Analysis of covariance	139			TBE no different from submersion on 3 tests	

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SUMMARY OF APPLICABLE STUDIES (Continued)

Author	Date	Grade	Design[1]	Number[2] of Students	Language[3] L1	Language[3] L2	Reported Results L2	Reported Results Math
Gleason an Ranlane	1977	K	Experiment	56	English	French		All L1 better than L2 immersion
Huzar	1973	2-3	Random assignment; one-way analysis of covariance	160	Spanish	English	TBE no different from submersion	
Lambert and Tucker	1972	1-4	Longitudinal; analysis of covariance	213	English	French	L2 performance in an immersion program at or near that of monolingual L2 speakers	Math taught in L2 no different from math taught in L1 (immersion program)
Lampman	1973	2	Matching	40	Spanish	English	TBE no better than submersion	
Layden	1972	3	Experiment	56	Spanish	English	Submersion better than TBE	TBE no different from submersion
Legarreta	1979	K	Analysis of covariance	80	Spanish	English	TBE better than submersion or TBE no different from submersion, depending on the test; TBE with ESL better than TBE without ESL component	

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SUMMARY OF APPLICABLE STUDIES[4] (Continued)

Author	Date	Grade	Design [1]	Number[2] of Students	Languages[3] L1	L2	Reported Results L2	Math
Lum	1971	1	Random assignment	55	Chinese	English	ESL alone better than TBE on 3 tests; ESL alone no different from TBE on 2 tests	
Malherbe	1946	4-10	Nationally representative survey (South Africa)	18,773	Afrikaans or English	English or Afrikaans	L2 better the more it is used in school	Initial deficit when instructed in L2 which is gone by the end of elementary school (also found for geography).
Matthews	1979	2,4, 6,8	Log-linear model	1,011	Many	English	TBE/ESL no different from submersion	
Melendez	1980	7-10	Analysis of covariance	241	Spanish	English	75-100% of reading instruction in L1 better than 50-75% in L1 or to 100% in L2	
McConnell	1980	Pre-K -?	Longitudinal; subject as own control	1,020	Spanish	English	TBE better than submersion	
McSpadden	1979	K-1	Analysis of covariance	196	French	English	TBE no different from submersion	TBE no different from submersion

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SUMMARY OF APPLICABLE STUDIES (Continued)

Author	Date	Grade	Design[1]	Number[2] of Students	Languages[3] L1	Languages[3] L2	Reported Results L2	Reported Results Math
McSpadden	1980	K-2	Longitudinal; analysis of covariance	263	French	English	Submersion better than TBE in 1 of 3 grades; TBE no different from submersion in 2 grades	Submersion better than TBE in 1 of 3 grade 5; TBE no different from submersion in 2 grades
Moore and Parr	1978	K-2	Analysis of covariance	130	Spanish	English	Submersion better than TBE	TBE no different from submersion
Morgan	1971	1	Matching	193	French	English	TBE better than submersion on 2 tests; no difference on 2 tests	
Pena-Hughes, and Solis	1980	K	Random assignment	156	Spanish	English	Immersion better than TBE	
Plante	1976	1-2	Longitudinal; experiment	72	Spanish	English	TBE better than submersion in 1 grade. TBE no different from submersion in 1 grade and for both grades combined	
Powers	1978	2-6	Analysis of Co-variance	87	Spanish	English	TBE no different from submersion on 2 tests	TBE no different from submersion on 2 tests

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SUMMARY OF APPLICABLE STUDIES (Continued)

Author	Date	Grade	Design[1]	Number[2] of Students	Languages[3] L1	Languages[3] L2	Reported Results L2	Reported Results Math
Ramirez et al.	MD	K-6	Analysis of Covariance	NA	Spanish	English	Bilingual plus ESL better than bilingual alone	
Ramirez	1973	K	Analysis of Covariance	70	Spanish	English	ESL better than submersion	
Ramos et al.	1967	1-6	Longitudinal; matching	***	Hiligaynon Pilipino	English	TBE no different from immersion[4],	TBE no different from immersion[4],
SEDL (Stebbins)	1977	K-3	Longitudinal; analysis of covariance and other adjustments; 5 sites	1,060	Spanish	English	TBE no different from submersion[4]	TBE no different from submersion
Skoczylas	1972	1	Analysis of covariance	47	Spanish	English	TBE no different from submersion	Submersion better than TBE
Stern	1975	4-6	Analysis of covariance	213	Spanish	English	Submersion better than TBE[4]	Submersion better than TBE[4]
deWeffer	1972	1	Analysis of covariance	141	Spanish	English	TBE no better than submersion on an oral test	
Zirkel	1972	1-3	Matching; analysis of covariance	278	Spanish	English	TBE better than submersion on 1 test; TBE no different from submersion on 4 tests	

(Continued)

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* Treatment = 73, control not given.

*** Unable to obtain information at present; however, the sample size was large.

[1] In the case of multiyear studies, the number of tested students was counted. Rather than counting the number of unique students, the study counted each year a student was tested as a separate instance.

[2] For studies not using random assignment, we note the method used to adjust for possible preexisting differences between the treatment and control groups. Analysis of covariance is a statistical method used to adjust for preexisting differences.

[3] L1 is the language-minority child's home language; L2 is the child's second language.

[4] This result represents our conclusion from the author's very complex analysis; see Baker and de Kanter (1981) for a detailed discussion.

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Discussion of the Evaluations of Transitional Bilingual Education

We have reviewed 31 studies of the TBE that meet our minimal methodological criteria for having confidence in their results. Even though these studies represent the best of the literature and are the studies where we can be reasonably confidence about the results, it is clear from the discussion that there are still many problems and cautions remaining when trying to generalize from these studies. While these problems do not affect answering the questions we set out to address, they do limit how far beyond our initial questions we can go with confidence.

The anlaysis of the TBE literature was undertaken to answer a specific question for the development of Federal policy for the education of language minority chidren. The question is whether the Federal government should mandate TBE as the only permissible method of instructing language minority children in order to improve their performance in: (1) English and (2) nonlanguage subject areas. It is pointed out above that if mandating TBE were to be justified in terms of educational effectiveness, the relevant literature should provide strong and consistent evidence of the effectiveness of TBE. Our first step in answering this question was to identify the relevant literature, that is, studies of the effectiveness of TBE that met minimal criteria for methodological soundness. These studies have been described in the preceding section. A review of the findings of these studies clearly indicates that the Federal government would not be justified in mandating TBE. Although TBE has been found to work in some places, it has been found ineffective in others, and has even produced negative effects in yet other schools.

Positive outcomes pertaining to language performance were reported by Covey (1973), Carsrud and Curtis (1980), McConnell (1980), Malcndex (1980), Morgan (1971), Plante (1976), Legarreta (1979), AIR (1975b), Cohen (1975), and Zirkel (1972). However, the cause for the effectiveness of TBE is called into question by studies that found no difference in second language performance between treatment and comparison groups (Ramos et al., 1967; Powers, 1978; Morgan, 1971; Lampman, 1973; Bates, 1970; Alvarez, 1975; Diaz, 1979; deWeffer, 1972; Ames and Bicks, 1978; Plante, 1976; Kaufman, 1968; Huzar, 1973; Legarreta, 1979; A. Cohen, 1975; SEDL, 1977; Carsrud and Curtis, 1980; Matthews, 1979; Skoczylas, 1972, McSpadden, 1979, 1980; Balasubramonian et al., 1973; Cottrell, 1971; Olesini, 1971; AIR, 1975b; Zirkel, 1972: Lum, 1971). Moreover, some studies found TBE to be less effective than either immersion or ESL (Sum, 1971; Pena-Hughes and Solis, 1980) and some found TBE to have negative effects by comparison with submersion (Danoff et al., 1977, 1978; Stern, 1975; Moore and Parr, 1978; A. Cohen, 1975; McSpadden 1980; Layden, 1972).

A. Cohen (1975) and Ames and Bicks (1978) found some evidence that BE improved acquisition of math skills. However, no effect was found by Danoff et al. (1978), Carsrud and Curtis (1980), Moore and Parr (1978), McSpadden (1979, 1980), A. Cohen (1975), Covey (1973), SEDL (1977), Powers (1978), Alvarez (1975), Layden (1972) and Ramos (1967). Skoczylas (1972), McSpadden (1980), and Stern (1975) reported a negative effect.

The evidence for the effectiveness of TBE is mixed. Sometimes it works and sometimes it does not. Sometimes it even has harmful effects. The implications of this patterns of results are clear. The evidence that BE is an effective method method for improving English and math peformance in language minority children is neither strong nor consistent. In face of this finding, strong doubts must be raised abut the wisdom of Federal policies that prescribe TBE as the only method to be used for the instruction of language minority children.

The policy implications of the literature will be discussed further after we look in the next section at the data bearing on our second question: Are there alternatives to TBE?

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Discussion of the Results for Structured Immersion

Given our issue of whether the Federal government should mandate TBE, the question to be asked of the literature addressing the effectiveness of immersion programs is whether the evidence suggests immersion might be a viable alternative to TBE. If it is, there is little justification on grounds of educational effectiveness for prohibiting immersion programs by Federal law, policy, or regulation.

Although the number of studies is not large, the immersion literature makes an impressive case for the development of the second language through immersion techniques. The Canadian immersion literature suggests that L2 immersion students over several years approach (but do not reach) the level of native speakers of the language (Lambert and Tucker, 1972; Barik and Swain, 1975; Gleason and Ramlana, 1977). No evidence of comparable levels of performance for TBE was found anywhere. Pena-Hughes and Solis (1980) directly compared immersion and TBE for Hispanic students in the American Southwest with clear superiority for the immersion program.

As for nonlanguage subjects, Lambert and Tucker (1972), Barik et al. (1977), Ramos et al. (1967), and Malherbe (1946) who reported an initial deficit in geography scores which disappeared in a few years when all teaching was in L2. Ramos et al (1967) reported the least favorable results for all L2 instruction. They found that all L2 instruction from grade 1 was as effective after 5 or 6 years as was a program in which all instruction was in L1 for grades 2 through 4, and in L2 thereafter.

What about immersion for the United States? Let us begin by again reminding the reader that immersion and submersion are very different. Submersion places the language minority child into a standard English speaking classroom, often surrounded by monolingual English speaking students, to sink or swim. In immersion the acurriculum is structured differently from that used in the usual English speaking classroom so that content and language are developed simultaneously. Furthermore, it seems that techers (or other adults) who understand L1 are also an important feature of the immersion class so that the student can address questions to the teacher in L1. Finally, fluent L2 speaking "role models" are excluded because they seem to do more harm by monopolizing the conversation than they do good by extending the language minority student's experience with communicating in L2.

Most of the development and research on immersion has been done in Canada and, as we saw in chapter two, impressive results have been reported.

The case for further development and experimentation with immersion programs in the United States then is based on the following:

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- The arguments used against immersion are hypothetical and should be put to the test

- The immersion literature is consistently positive and shows impressive levels of L2 development. The same cannot be said for TBE.

- Immersion makes good theoretical sense (see Stern, 1978 and Chapter 4). The same cannot be said for TBE. Our analysis finds the basic premises underlying TBE are not supported by the empirical literature and are not needed to understand the school performance of language minority children. Cummins (1981a, 1981b) has criticized TBE as beed on irrational premises.

- Immersion has not been restricted to middle class suburban children. Genesee (1976) reviewed Canadian literature showing the success of immersion in a variety of socioeconomic settings. The Pena-Hughes (1980) study is sufficient to disprove the blanket claims of the TBE advocates that immersion will not work in the United States.

These results suggest that immersion is worth considering as a viable alternative to TBE. While immersion has been little tested in this country, this is the result of the efforts of bilingual advocacy groups to exclude immersion from American schools. The absence of immersion studies in the United States should not in anyway be interpreted as evidence that immersion is not effective.

Tucker (1980) and others have raised caustions about generalizing from the Canadian experience to the United States situation. Table 2-5 summarizes these differences.

Basically, all these points are facotrs that could be related to differential program impact, but there is no existing research to show they do in reality make a difference. Stripped of all the impressive technical jargon, the argument boils down to postulating that since Canada and the United States are difference places, what works in one will not work in the other. In the absence of any empirical evidence testing these hypotheses, it is absurb to base a policy rejecting immersion on them. Furthermore, note the irrationality that underlies the argument. In Canada, where the goal is to develop a bilingual child, immersion on L2 is the preferred method for learning L2. In the United States, where the goal is to maximize L2 performance, emphasis i not on a program maximizing instruction in L2 but on a program using L1.

Although Tucker and other responsible students of Canadian immersion programs are correct to raise cautions about generalising from the Canadian experience, the issue is, in the last analysis, an emprical one. The advocates of TBE have not been justified in their political use of these caustions to stifle immersion experiments in the United States, especially not in the face of the lack of evidence for the effectiveness of TBE.

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Table 2-5. Differences Between the Canadian and United States Issues

Area of Difference	Canada	United States
Rationale	Dissatisfaction with ESL type approach for teaching French to Anglo students	Need for compensatory education
Major Language of the Nation	L1	L2
Social Class of Students	Middle	Lower
Role of Parents	Major force in program initiation and development	Generally nill
Child is of the	Majority	Minority
Parents education	Good	Poor
Initial Language Skills	Monolingual	Mixed
Societal Stereotypes Toward Child's Ethnic Group	Positive	Negative
The Society Highly Values L1	Yes	No
L1 is Encouraged at Home	Yes	Often not
Expectations of Success at School	Yes	No
Desired Outcome is a Student Who Is	Bilingual	Maximize L2 level

Although immersion has been little tested in the United States, we see no reason why it should not be. The arguments as to why immersion may not work in the United States are untested. We found immersion being used in the United States (Pena-Hughes and Solis, 1980) in one case and it was doing very well. Considering also the mixed record of success TBE has had, we conclude that the Federal government is not justified in precluding school from experimenting with immersion program. Immersion should be considered—along with TBE—as one of the alternative methods of instruction used with the language minority child.

A final note of caution. The difference between immersion projects and submersion cannot be overemphasized. An immersion program does not involve simply placing language-minority children into an English-speaking classroom to sink or swim. Immersion is a carefully structured program of L2 instruction which presumes no prior knowledge of L2. The teachers understand student queries in L1 even though they reply only in L2. Immersion programs may to meet the needs of language-minority children. They require much work on the part of schools, but there is promise for the effort.

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Discussion of English As A Second Language (ESL)

The available data on ESL instruction are limited. Two studies found structured immersion superior to ESL (Lambert and Tucker, 1972; Barik et al., 1977) Ames and Ticks (1978), and Balasubramonian et al. (1973) found that TBE programs which included an ESL component were no more effective than ESL alone. Lum (1971) reported that TBE programs which included an ESL component were no more effective than ESL alone on some measures and that ESL alone was supior to TBE on other measures. Legarreta (1979) and Ramirez, et al. (ND) found that a TBE program with ESL worked better than a TBE program without an ESL component. Ramirez (1973) found ESL superior to submersion.

The most consistent pattern seems to be a finding that adding bilingual instruction to an ESL program results in no improvement in performance in English or other subject skills. Although this is a tentative finding based on the few studies making this comaprison, there is nevertheless a clear policy implication. There is no justification to be found for a Federal policy that excludes ESL as an alternative to TBE (and immersion) as an appropriate instructional method for language minority children.

Mr. SIMON. Mr. Chairman, I also would like to get in the record that our colleague, Representative Martinez, would be here today, but for health reasons is unable to. He is very much interested in this subject.

Mr. CORRADA. I thank the gentleman for that clarification.

We will now listen to a panel consisting of Mr. Albert Shanker, president, American Federation of Teachers; Dr. Diane Ravitch, professor, Teachers' College, Columbia University; Ms. Jolly Ann Davidson, president-elect, National Association of State Boards of Education; and Dr. Esther Eisenhower, director, English as a second language program, Fairfax County Public Schools.

These witnesses today have been called at the request of our distinguished colleague, Mr. Erlenborn, who is, of course, a sponsor of the bill. Further hearings will be held in July for other witnesses as well.

We welcome the witnesses, and for the sake of time, since we have a markup at 11 o'clock pending here before the full Education and Labor Committee, we will listen to the testimony of all the panelists and then, after the testimony is presented, we will go on to any questions that we may have. Of course, the full statement will be made a part of the record and you may summarize your testimony as you wish.

Mr. Shanker.

STATEMENT OF ALBERT SHANKER, PRESIDENT, AMERICAN FEDERATION OF TEACHERS, AFL-CIO

Mr. SHANKER. Thank you very much. I am here to testify on behalf of the American Federation of Teachers, which has 580,000 members across the country in elementary, secondary, higher education, State public employee professionals, and health care. I just want to emphasize a few of the points that are in my written statement.

We have, as an organization, for a long time recognized the need to provide special services and programs for children who do not

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speak English. On a personal note, I might say that when I entered school in the first grade in New York City, I did not speak any English. I therefore have a very vivid memory of what it was like to be in a school, in a class, where the teacher and no other child in the school understood what I was saying, nor did I understand what they were saying. It is a frightening experience to enter school for any child. Just watch them when they enter kindergarten and first grade. That is true of children who do speak the language. When they don't and have no one they can communicate with, it can be quite terrifying. So I personally and we, as an organization, recognize there are special needs here and a special obligation.

We have not been satisfied with or happy with the way in which this has been carried out in the past. We do not believe there is one single answer or one single approach which will take care of the needs of all these children. Therefore, we support the proposed changes in the legislation which would permit school districts to use different approaches and would require them to justify the approaches they use on the basis of effectiveness. We think that is a much better approach than the one which we have had up to now, where the Federal Government, without any substantial evidence, has essentially come down and said there is one right way.

We have also found in the past that because this is not just an educational issue but also a political issue that many students were placed in such programs because of their surname or ethnic background, so we had quite a few parents who came to us and said, "Look, we have a Hispanic last name and, indeed, we are of Hispanic origin; however, our family has not spoken Spanish at all, we speak English, and yet my child was placed in a class where they speak only Spanish." So we committed the same sin because we took a child and put that child into an absolutely hostile situation and with foreign surroundings where the child couldn't understand anything.

Then when I would say to the parents "Why don't you complain about it," the answer would be, "Well, when I complain about it, we are told that we have to be loyal to our group and our people." Essentially, in many cases, there was a good deal of pressure placed on families to put their children into such programs whether they wanted to or not.

Mr. CORRADA. If the witness will yield just for a second, I am sure the answer was not that this was mandated by the Federal Bilingual Education Act.

Mr. SHANKER. No. But once you mandate a specific program, and only one type of program, you have to be cognizant of how that program will be administered in some places. I am not saying you fashion the legislation and you're going to take some abnormal conditions and therefore say we won't have such a program. I am not arguing for that at all. But I am saying that you do have to be aware, when you fashion legislation, of the various ways in which it will be implemented.

I believe the experience which I have just talked about; namely, that this was not merely making a program available but that in many communities throughout the country parents of children who found their children being forced into programs which they didn't

want their children to participate in, in many cases, had to remove their children to private schools or had to move out of those districts because they found the pressures were too great to resist.

We also favor the notion that moneys will now be available for training programs and for programs which are not just instructional within the classroom but which will enable school districts to build a long-term capacity to deal with this problem, since it is quite clear this is not a problem which is passing but a problem which is growing.

One final point is that we have also in the past strongly resisted the notion that we really had two things here which have been pressed, one the bilingual aspect—and I would agree with the statement that was just made, that in many cases these programs were not bilingual at all; they were monolingual. And I would go a step further. In many cases they weren't even monolingual; that is, the first thing that ought to be checked on is the question of quality and ability, and there was very little monitoring of these programs as to whether the teachers spoke English or wrote English or were able to function in English. There was also not very much in the way of testing going on to see whether they could speak or write adequately in the other language. It was therefore a program that was administered, in many cases, in a very sloppy way.

A second aspect of it was the aspect of biculturalism, the notion that somehow the public schools were responsible for maintaining the original culture of the student's family. This reached such heights that in New York City, when we had a very great shortage of teachers who were able to speak Spanish, we had organizations that said that a teacher who comes from the Dominican Republic cannot teach a child who comes from Puerto Rico because this would not be a proper bicultural approach, that the child needs a role model from Puerto Rico. We think that this, too, is something that we have got to get away from.

One of the strong points of our public schools is that they bring people together, the diversity, the mix, the integration, and we feel that aspects of implementation of bilingual and bicultural programs in the past have done precisely the opposite.

Thank you.

[Prepared statement of Albert Shanker follows:]

PREPARED STATEMENT OF ALBERT SHANKER, PRESIDENT, AMERICAN FEDERATION OF TEACHERS, AFL-CIO

Mr. Chairman and Members of the Subcommittee, the American Federation of Teachers has a compelling interest in our national bilingual education policies as reflected in Title VII of the Elementary and Secondary Education Act of 1965. The AFT has taken an active interest each time this program has been reauthorized not only because we represent teachers in many school districts where the greatest concentration of children of limited English proficiency are found, but also because Title VII has profound implications for our nation and its' future. Over the years we have sought a federal bilingual educating act designed to help children learn English and function in the regular English-speaking classroom.

In 1978, I testified before this Subcommittee and asked for changes in Title VII because studies indicated that up to 3/4 of the children in bilingual programs were there because of their surname and ethnic background. For many of these children their difficulty in speaking or reading the English language was exacerbated by the type of bilingual education programs available to them. Many were not in situations where their native language was the dominant tongue in their life. Attempts to require education in their native language only served to make transition to English

more difficult to achieve. Because of this fact, I suggested at that time, and the Congress later agreed, that a time limit should be placed on the length of time a child stays in a bilingual program. I believed then and it is even clearer now, that unless there is a time limit on a bilingual program there will continue to be pressure upon parents to keep their children in bilingual programs in order to preserve existing political and personnel arrangements. But a strictly enforced policy of evaluation of continuing need will not by itself solve the problems faced by non-English speaking children.

What is neede now is a more thorough reform of Title VII and a more carefully thoughtout plan for the federal government's role of education children whose native language is not English. H.R. 2682 has much to recommend it. It is a big step in the right direction toward resolving our bilingual education problems. These problems have been building for many years especially since the 1975 *Lau* decision and the subsequent issuing by the Department of Education of its so-called *Lau* Regulations in 1980.

These regulations would have required that almost every school district with non-English speaking children implement a program of bilingual education to meet the needs of all of its non-English speaking students. The *Lau* regulations would have required that classes in all academic subjects be conducted in the child's native language and that English be taught as a subject almost as an afterthought. Further, because of the demonstrated shortaage of trained bilingual teachers the *Lau* regulations would have mandated that non-teaching personnel be hired to conduct courses in the child's native language. The only requirement for these people would be the ability to speak the child's native language. If these regulations had been approved, the educational opportunities of millions of children would have been limited and our nation would have suffered under the gradual creation of a school system for children who can speak English and one for those who cannot.

The AFT supported proposals in the Congress to block the *Lau* regulations and they were stopped. But since that time nothing of any importance has occured to change the federal policies that were reflected in the *Lau* regulations.

We welcome this opportunity to start the process of needed changes in ESEA Title VII and we hope in the so-called *Lau* remedies, as well. The time is long passed for a law that provides federal support only for instruction in a child's native language. The federal government has an opportunity now to change that anachronistic direction and to support the building of capacities in local school districts that will permit a variety of approaches to be used for teaching non-English speaking children and for the training of the existing teaching staff to help make sure that non-English speaking children receive the best instructional talent available.

There are several features of H.R. 2682 trhat I would like to single out as especially important and strongly supported by the AFT. The first is the broadening of instructional options for non-English speaking children. Currently, Title VII only supports programs that utilize the child's native language as the principal means of instruction. H.R. 2682 would allow school districts to select the approach that they consider most appropriate for the children they are trying to serve. The bill would require that they provide evidence that the method selected is the most desirable but would at the same time greatly increase the role of education decision-making over the role of political accomodation. This change in current policy should serve children well.

Research on bilingual education and its effectiveness indicates that no single approach to serving children of limited English proficiency is best. Different approaches such as a structured English emersion or English as a second language appear to work better for some children than instruction in the native language. Having this option available should stimulate the best educational opportunities possible. Children with limited English speaking ability often are no more proficient in their native language than they are in English. Requiring instruction in the native language for many children serves to reinforce multiple language difficulties rather than presenting a method for educational improvement. The flexibility in H.R. 2682 should alleviate this problem.

The second major feature of H.R. 2682 supported by the AFT is the targeting of funds towards the building or permanent capabilities to serve children of limited English-speaking ability. We believe that by providing funds and allowing their use of treacher training and the acquisition of permanent capabilities rather than limiting funds to instructional purposes only will provide the best opportunity for a long-range solution for the children who need such help. While we do not support the five year limitation on projects under this Act, we do believe capacity building is one of the most important goals to be achieved with federal bilingual education aid. The five year limitation does not take into account that some school districts will

have continuing needs and will experience changes in the language of the children to be served. In Dade County, Florida, e.g., for many years capability was needed primarily in the Spanish language. This need continues with the recent massive influx of Cuban refugees but even if a sufficient number of teachers had been adequately trained for teaching in Spanish, the recent waive of Haitain refugees need teachers with capability for teaching in French. In addition, Indochinese refugees have needs for teachers who can function in the language of that region of the world. While instruction in the native language may not be best for all children, capabilities in native languages is important.

A five year limitation would not serve Dade County nor would it be helpful in other big cities with similar problems.

A third feature of H.R. 2682 supported by the AFT is the attempt to target funds on behlaf of those children whose usual language is not English. Current estimates about the number of children of limited English proficiency between the ages of four through eighteen is 3.6 million; but only about 1.6 million of these children usually speak a language other than English. We believe that children who usually speak English have needs, but that those who do not speak English at all ought to have first priority for services under the Federal Bilingual program. Children who usually speak English will probably be better served by a program that has different features than programs for children who speak no English. It is important that language difficulties not be reinforced by insisting that instruction occur in a language other than English even if a child does not usually use that language himself.

A fourth feature the AFT supports is the inclusion of vocational projects for out-of-school students and adults of limited English proficiency under the Bilingual Education Act. The program is currently authorized under the Vocational Education Act but administered by the Office of Bilingual Education and Minority Affairs and appropriated under the Bilingual Education Authorization. This bit of administrative streamlining should help the program work better. I would like to point out something else of great importance to our union and that is Section 3B which provides that teachers who participate in the program be proficient in English as well as the child's native language, should that language be used as a medium of instruction. Current law requires personnel to be "proficient in the language of instruction and in English to the extent possible." Section 3B would reorder this priority and would help move Title VII in the direction of making sure that programs funded by the federal government result in children learning English by making certain that their teachers are competent in English. 3B would have similar but less rigorous standards for non-instructional personnel. This is a critical issue to the education prospects of non-English speaking children. There is no possibility for improvements in the ability of children to function in English if their teacher cannot function in English.

I also wish to point out that the AFT does not support the reduction in authorized program levels contained in H.R. 2682. We believe that more dollars are needed to adequately serve the educational needs of the 1.6 million children targeted by the bill. We believe an authorization of at least $200 million is needed to accomplish the goals of this legislation.

H.R. 2682 represents an opportunity to change a federal program in need of reform for the better. This reform is needed by our school districts but most of all by our children. H.R. 2682 will refocus bilingual programs on the need to teach in English. This is a bill whose time is now, I ask swift favorable action on H.R. 2682.

Mr. CORRADA. The next witness is Dr. Diane Ravitch.

STATEMENT OF DIANE RAVITCH, ADJUNCT ASSOCIATE PROFESSOR, TEACHERS COLLEGE, COLUMBIA UNIVERSITY

Dr. RAVITCH. Thank you very much.

Mr. CORRADA. Your full testimony will be made part of the record. You may summarize as you wish.

Dr. RAVITCH. Thank you.

I teach history and education at Teachers College, Columbia University. I served as a member of the 20th Century Fund Task Force on Federal Educational Policy, and since Congressman Garcia referred to that, I am happy to have the opportunity to explain what the task force did say. Also, I think it unusual to have the opportu-

nity in a congressional hearing to set the record straight on a cocktail party conversation. I think I should do that, also.

When I ran into Congressman Garcia, it was the day after the New York Times report of the 20th Century Fund report, and what the Times said was that we called for cuts in bilingual education, which we did not, and it also said the panel called for immersion programs, which we did not. In fact, we called for no method and what we called for was not an end to bilingual education but an end to the mandating of the single method.

Our panel was decidedly bipartisan. It included Patricia Graham, who was the Carter administration's Director of the National Institute of Education; it included Wilson Riles, who at that time was the Democratic State superintendent of education in California; and I, myself, am a Democrat. But I think that our partisan views have nothing to do in this case or with our views on educational policy.

It was our feeling that the most important objective of elementary and secondary education in this country must be literacy in the English language, not because the English language is better than any other language, but because it is the language of opportunity, because most people speak English. We feel the child who cannot speak, read, and write English is decidedly handicapped, and that that was the thrust of the *Lau* decision.

I have read every congressional hearing that has been held on this subject since 1967, and the peculiar thing is that the congressional testimony—or at least what the Congressmen say—is always "we want children to learn English" and then mandate bilingual education as the most appropriate method. What strikes me as very strange is that we don't know what the best method is. The discussion I have heard this morning would be appropriate to a board of education meeting or a school board meeting and not a congressional hearing. I hear people arguing about what the best method is.

It would seem to me that what this committee should be about and what this bill should be about is what is the basic constitutional right that is involved; what is it that is preventing children from having equal education opportunity? The 20th Century Fund task force believed that what was lacking was the ability to speak and read and write English. The person who can't speak English fluently couldn't come to this hearing and testify very easily, perhaps with an interpreter but, nonetheless, not with full participation.

So what we were concerned about was what is the Federal role in education. In this case we felt the Federal role is to assure that all children gain fluency in the English language.

I would say also, because I just finished a history of American education from the period 1945 to the present, it struck me as extraordinary that there has never before been a method that has been legislated. Never in a Federal program has the Congress said this is the method you must use. What Congress does is to set the goal. It says teach reading. When title I was enacted, the Congress didn't say this is the phonics education program, this is the look-say education program. Actually what you have done here, you have legislated one method, but educators disagree as to what the best method is.

I would suggest, if you were to pass this bill, and I would say not with diminished funds but with increased funds, the appropriate form of this bill should be an English literacy program which is available to all children who are deficient in their ability to speak, read, and write English, and the 20th Century Fund task force strongly feels this should be the goal of Federal policy and that it is absolutely inappropriate for a single method to be legislated.

Thank you.

[Prepared statement of Diane Ravitch follows:]

PREPARED STATEMENT OF DIANE RAVITCH, TEACHERS COLLEGE, COLUMBIA UNIVERSITY

My name is Diane Ravitch. I am an adjunct associate professor of history and education at Teachers College, Columbia University. I am here today as a representative of the Twentieth Century Fund Task Force on Federal Educational Policy.

Our task force issued a report a few weeks ago, in which we defined what we believed was a responsible federal role in education. Our membership was decidedly bipartisan. Although I do not know the party affiliation of all 11 members, I do know that our chairman, Robert Wood, served honorably in several Democratic administrations; one of our members was the director of the National Institute of Education for two years of the Carter administration; and another member was a former State Superintendent of Education in California, where he was elected as a Democrat. I too am a Democrat, but I do not think that party affiliation is in any way related to our views about educational policy.

Our task force recommended that the federal government recognize that "the most important objective of elementary and secondary education in the United States is the development of literacy in the English language." We urged that federal funds "now going to bilingual programs be used to teach non-English-speaking children how to speak, read, and write English."

Do not misunderstand these proposals. We were not recommending an end to bilingual education, nor were we recommending any other method for teaching non-English-speaking children. What we did propose was explicit recognition by Congress that the federal government has an immediate interest in promoting English-language literacy. We held that literacy in English is vital because "our political democracy rests on the conviction that each citizen should have the capacity to participate fully in our political life; to read newspapers, magazines, and books; to bring a critical intelligence to television and radio * * * and to vote thoughtfully." We think that the Congress should acknowledge that equal opportunity in America today requires fluency in the English language—not because English is better than other languages, but because it is the language that most people in this society speak. It is a fact that the young person who cannot speak English will not be able to attend many colleges or to get jobs where English literacy is required. Full opportunity is impossible for the person whose English is limited.

Because I just finished a history of American education from 1945 to 1980 that will be published this fall, I am well aware that Congress passed the bilingual education act with the expectation that it would help children learn English. Bilingual education is one method of teaching children English, but it is by no means the only one. Unfortunately, through regulations and pronouncements, the Department of Education and other federal agencies have actively discouraged the use of other methods of teaching children how to read and speak English. Even the title of the legislation encourages people to believe that only one method is permissible. This is educationally unsound, because different children require different language-teaching methods. Educational research has not established that one method is superior to all other methods.

I would suggest, and I believe it accurately reflects the view of the Twentieth Centry Fund task force on education, that it is unwise for the Congress or any federal agency to tell local school districts which method they must use. In fact, as an historian, I would point out that it is unprecedented for the federal government to prescribe a particular pedagogical method. When Title I was passed, no one dreamed of calling it the "phonics education bill" or the "look-say reading bill" because it was obvious that Congress had no business telling schools how to teach. The Congress should prescribe the goal—in this case, English language literacy—and each district should be free to decide how to achieve that goal.

The proposed legislation, though it is called a "Bilingual Education Act," is actually an English literacy program. It states that the goal of the legislation is "to

enable children of limited English proficiency to achieve competency in the English language." Towards that end, districts are permitted to select their own instructional methods. Bilingual eduation may or may not be one of the methods that local districts choose to employ. I applaud both changes, which are sensible. They permit teachers and supervisors to make the initial decision about what works best in their district and in their classroom, based on their knowledge of the children's needs and of their own capabilities.

As we know from the Gardner Commission report of last month, our educational system is desperately in need of improvement. The continuing presence of illiteracy and functional illiteracy in this nation in the mid-1980s is an outrage. The federal government alone can't solve all the problems, but at the very least it can establish priorities. Certainly one of the highest priorities for our national government is to promote equal educational opportunity. Any person who does not have command of the language in which this hearing is conducted and in which most commerce, public activity, and even entertainment are conducted, cannot enjoy equal opportunity.

As educators, the members of the Twentieth Century Fund task force would like to see all children become fully literate in the English language. We would also like to see all children have the opportunity to learn a second language. These are appropriate educational goals which should be of concern to the federal government. How they are to be accomplished, we believe, is best left to the discretion of the local districts.

Mr. CORRADA. Miss Jolly Ann Davidson.

STATEMENT OF JOLLY ANN DAVIDSON, PRESIDENT-ELECT, NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION, ACCOMPANIED BY ANITA EPSTEIN, DIRECTOR OF GOVERNMENTAL AFFAIRS

Ms. DAVIDSON. Thank you very much.

I am a member of the State board of education in the State of Iowa and I also serve as president-elect of the National Association of State Boards of Education. Accompanying me is Anita Epstein, who serves as our director of governmental affairs for NASBE.

Mr. CORRADA. Your full testimony will be made a part of the record.

Ms. DAVIDSON. Thank you. And recognizing the time constraints——

Mr. CORRADA. Yes, we have about 12 minutes in which we can split between the two witnesses remaining.

Ms. DAVIDSON. I will be brief, and assured that you will read my complete summary as well as the testimony.

I should note, however, that I am also speaking on behalf of those who represent the Nation's Governors, State legislatures, chief State school officers, and secondary and elementary school principals.

How language-minority students are educated has been a subject of considerable controversy and misunderstanding. It is our hope that with renewal of the title VII legislation, we can go a long way toward putting these controversies and misunderstandings to rest, so that we can concentrate on what is really important, that is, providing these students with equal educational opportunity.

Central to the misunderstanding, I think, has been the idea that there is only one way to teach these students English and subject matter, and that is by transitional bilingual education. There is no question but what this method, in which students are taught basic subjects in their native tongues while they are also learning enough English to transfer to regular classes, is one valuable ap-

proach. But the proposition that it is the only approach is flawed, I believe.

This was the basic point that was stressed by representatives of State legislatures and the chiefs of State and local school boards, our organization, teachers, et cetera, in the dispute over the proposed Lau regulations. I would like to quote something from a letter that we sent to Shirley Hufstedler, who at that time was Secretary of Education. The quote goes:

> The simple educational fact is this: there is no one best way in which to teach all students, only different ways for different students under different circumstances. There is no single way to teach math or reading or writing or history or science or any other subject to all children, as an examination of different school systems and different schools of thought would quickly illustrate.
>
> There certainly is no one best way in which to correct the language deficiency of all students who have little or no proficiency in English, as required by Lau.

Now, as we know, those regulations were withdrawn and the Department of Education says that it is no longer enforcing the Lau remedies; rather, it has returned to the nonprescriptive standards set out in the May 25, 1970, memorandum, which allows local school districts to choose from a variety of teaching methods.

We strongly agree that this is the proper policy, educationally as well as legally, and we are pleased, as we have heard today, and as we understand from others, that it has received growing support.

There is no agreement among anyone on any one way to teach these students. This is because, as common sense and educational experience tells us, there is no one way. We think it is a serious mistake for the Federal Government to prescribe a single method of teaching these or other students. It is not done with chapter 1 assistance for disadvantaged students, it is not done with aid to handicapped children, and it shouldn't be done here.

Now, just quickly, a couple of the changes—not all of them, but just a couple of things we would like to point out. First, the law should be amended to define a range of programs authorized for funding under the act. These should include, but not be limited to, transitional bilingual education, English as a second language, and structured immersion. We are definitely very pleased that the administration-sponsored measure is fully in accord with this view.

Secondly, the law should be amended to authorize research comparing the different methods used, so as to discover which approaches are best for which children. Again, we are happy to see the administration is adopting this approach.

Third, given the nature of the population of the United States, a respect for all cultural heritage is important. References to the students' cultural heritage should indicate that sensitivity should be shown in this area, and it should be made clear that bicultural education using materials from the students' ethnic backgrounds, while certainly desirable in many cases, is not a requirement for funding.

Then the section dealing with educational personnel should be amended to state that teachers in funded projects must be proficient in English and, where necessary, in any other language to be used in providing instruction. This concept is also embodied in the administration's measure.

Now, there are two aspects, though, that I would like to just briefly hit on that we do question. The first is the proposal to limit funding for any one school district to 5 years. It has been argued correctly, we believe, that funding should be judged not by school districts but by the flow of children into those schools.

The schools are acting under a Federal mandate upheld by the Supreme Court in providing extra services to these students, services that go beyond equal opportunity, and the Federal portion of responsibility here is significant, as it is with the mandate affecting handicapped students. We urge, therefore, that the years of funding, as in the current measure, be linked to individual students. It would be exceedingly unwise, we think, to cut off Federal aid for children with little or no command of English in school systems where their numbers continue to grow.

We also find it difficult to understand how, as these students' ranks do continue to expand, the administration can propose a significant reduction. Indeed, an increase in current funding may be needed if school systems are to provide sufficent help for these children.

Finally, I would like to add a word of caution; that is, no matter which method of instruction is used, there should be no unrealistic expectations that addressing the language needs of these children will necessarily solve all of the difficulties that they may face. There has been evidence for some years suggesting that factors other than language—poverty, discrimination and parental level of education—may be the larger barriers for many of these students.

The education system clearly must do everything possible to provide equal educational opportunity for these students, but it is only one of many institutions working to assure access and equity in our society.

I want to thank you for the opportunity to testify and to commend the chairman and members of this subcommittee for their sensitivity toward and concern for the language-minority students of the Nation.

Thank you.

[Prepared statement of Jolly Ann Davidson follows:]

PREPARED STATEMENT OF JOLLY ANN DAVIDSON, PRESIDENT-ELECT, NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION

My name is Jolly Ann Davidson. I am the President-Elect of the National Association of State Boards of Education, which represents education policymaking bodies in nearly all States, U.S. Trust Territories and the District of Columbia. I am very pleased to have the opportunity to testify today on the future of Title VII assistance for students from other language backgrounds who have little or no command of English.

The education of these students is a matter of great import for the nation, especially as their numbers swell. The latest projections from the National Center for Education Statistics suggest, for example, that limited-English-proficient students aged 5 to 14 will increase by 400,000 in this decade and by an additional 600,000 in the 1990s. There are several conflicting estimates of just how many language-minority children are in the nation today—ranging from 1 million to 3.6 million—and nobody can say precisely how many there will be tomorrow. But there is no doubt that their ranks are growing.

There is also no doubt that how language-minority students are educated has been a subject of considerable controversy and misunderstanding. It is our hope that with renewal of the Title VII legislation, we can go a long way toward putting these controversies and misunderstandings to rest so we may concentrate on the impor-

tant task at hand: developing the best ways to provide these students equal educational opportunity.

I would therefore like to review, briefly, the source of these misunderstandings before recommending the changes we believe are needed in Title VII.

THE SOURCE OF MISUNDERSTANDINGS

Central to the misunderstandings has been the idea, embodied in the existing Title VII law, that there is only one way to teach these students English and subject matter, and that this way is transitional bilingual education. This is the same idea that was advanced by the U.S. Department of Education when it proposed regulations in the summer of 1980 to carry out the Supreme Court's 1974 decision *Lau* v. *Nichols*.

There is no question that transitional bilingual instruction—in which students are taught basic subjects in their native tongues while they are also learning enough English to transfer to regular classes—is one valuable approach, and bilingual education supporters deserve great credit for the gains they have made. The technique is now among those used in many school systems, thanks in large measure to past actions of this subcommittee.

But the proposition that transitional bilingual education is the only approach to helping these children is fundamentally flawed. This was the basic point stressed by representatives of state legislatures, chief state school officers, state and local school boards, teachers, principals and curriculum authorities in the dispute over the proposed *Lau* regulations. In a letter to Shirley M. Hufstedler, then Secretary of Education, we stated what we would emphasize again today:

"The simple educational fact is this: There is no one 'best' way in which to teach all students, only different ways for different students under different circumstances. There is no single way to teach math or reading or writing or history or science or any other subject to all children, as an examination of different schools systems and different schools of thought would quickly illustrate.

"There certainly is no one 'best' way in which to correct the 'languague deficiency' of all students who have little or no proficiency in English, as required by *Lau*."

Fortunately, those regulations were withdrawn, with Education Secretary Terrel H. Bell expressing similar opposition to their narrow and prescriptive nature. Today, moreover, the Department of Education says that it is no longer enforcing the "*Lau* Remedies," or "guidelines," which the regulations were intended to replace—and which have been used to pressure more than 500 school systems into heeding the federal government's demands.

Rather, according to an internal Department memo of January 1982, it "has returned to the non-prescriptive standards set out in the May 25, 1970 memorandum," which allows local school systems to choose from a variety of teaching methods.

We strongly agree that this is the proper policy, educationally as well as legally, and we are pleased that it has received growing support. A new report by the Twentieth Century Task Force on Federal Elementary and Secondary Education Policy states, for example:

"Many different methods have been proposed for educating children who are not literate in English. It is not the * * * responsibility of the federal government to instruct our schools and teachers on which pedagogy is most appropriate."

This follows an extensive study by the Department of Education's Office of Planning, Budget, and Evaluation that concluded unambiguously: "transitional bilingual education should not be the sole approach encouraged by Federal policy."

This conclusion was based on an examination of all available studies meeting minimum methodological standards which compared the effectiveness of transitional bilingual education (TBE) with other approaches in promoting the learning of English and subject matter. The findings from the 28 applicable studies are summarized in Table A. You will note that these findings show:

In teaching a second language (i.e., English), only 10 of 30 findings reported any positive effects of TBE in comparison to immersion in the ordinary classroom.

In teaching math, only 2 of 14 findings reported positive results of TBE in comparison to the ordinary classroom.

English as a Second Language and transitional bilingual eduction programs were equally effective, although only a few such comparisons were reported.

Studies of structured immersion, while very few in number, show promising results.

Some bilingual education advocates have attacked this study as flawed, as they have other independent studies that preceded this one. In this regard, I would com-

mend to you the words of a federal judge in a 1975 language-minority case, *Otero* v. *Mesa County Valley School District, No. 51,* who said:

"Listening to these experts causes one to conclude that if psychiatrists' disagreements are to be compared to differences between educators, psychiatrists are almost of a single mind."

Psychiatrists and educators are kindred souls with social science researchers, which is precisely our point: There is no agreement on any one way to teach these students. This is because, as common sense and educational experience tell us, there is no one way, and we think it a serious mistake for the federal government to prescribe a single method of teaching these or other students. It is not done with Chapter I assistance for disadvantaged students. It is not done with aid to handicapped children. It should not be done here.

From all this, we believe there can be little question about the first changes needed in Title VII:

1. The law should be amended to define a range of programs authorized for funding under the Act, not just transitional bilingual education. These should include, but not be limited to, transitional bilingual education, English as a Second Language, and structured immersion, which have been described by the Department as follows:

Transitional Bilingual Education (TBE).—Subject matter is at least partially taught in the home language of minority children until their English is good enough to successfully participate in the regular classroom. ESL is often a part of TBE to help minimize the time spent in mastering English. It is also generally held that learning to read in the home language facilitates learning to read in English. Sometimes home language instruction is gradually phased out and regular English instruction is gradually phased in; other times, the change is more abrupt with the student being mainstreamed out of the home language program. The ultimate goal of TBE is to move the student into the all English program. TBE is differentiated from immersion and ESL by the use of the home language for instruction.

English As a Second Language (ESL).—In ESL, language-minority students are placed in regular instruction for most of the day. During some part of the day, however, the curriculum differs from that of the regular classroom in giving extra instruction in mastering English. Generally, this extra help is based on a special curriculum designed to teach English as a second rather than a first language. The home language may or may not be used in ESL instruction.

Structured Immersion.—In a structured immersion program almost all instruction is given in English. But immersion teachers are fully bilingual. Also, while students can ask questions of the teacher in the home language, an immersion teacher generally replies only in English. Further, the curriculum is structured so that no prior knowledge of English is assumed when subject areas are taught. No content is introduced except in a way that can be understood by the student. The student in effect learns English and content simultaneously. Structured immersion programs may include home language arts classes.

We are pleased that the administration sponsored measure is fully in accord with this view.

2. The law should be amended to authorize research comparing the different methods used, so as to discover which approaches are best for which children. This was the intent when the law was first enacted in 1968, and it is information we need to have today. Again, we are happy to see the administration adopting this approach.

3. The name of the statute should be changed. If the law is opened to other instrucitonal methods in addition to transitional bilingual education, we believe it would be a mistake to continue calling it "The Bilingual Education Act." English as a Second Language, for example, usually uses only one language, English; it cannot, as any bilingual education supporter will tell you, be defined as a "bilingual" method. In a national law designed to promote the proper use of English, we think it would be unwise to misuse the language in the title. Just as importantly, much of the controversy and misunderstanding surrounding this measure, we believe, stems from its name. Many people seem to be under the misapprehension that the legislation is intended to promote "bilingualism" or "language equality," in the Canadian or Belgian manner, when it is unmistakably designed to help students to adjust to and succeed in our English-speaking society. For these reasons we recommend that the name be changed to "The Language Minorities Educational Opportunities Act," to reflect what has been its underlying purpose from the outset.

Additional amendments, we believe, are also needed:

4. Given the nature of the population of the U.S., a respect for all cultural heritages is important. References to the students' "cultural heritage" should indicate

that "sensitivity" should be shown in this area, and it should be made clear that "bicultural" education using materials from the students' ethnic backgrounds, while certainly desirable in many cases, is not a requirement for funding.

5. The section dealing with educational personnel should be amended to state that teachers in funded projects must be "proficient" in English and, where necessary, in any other language to be used in providing "instruction." This concept is also embodied in the Administration measure, and we urge its acceptance.

We must question, however, two other aspects of the Administration bill. The first is the proposal to limit funding for any one school district to five years. It has been argued—correctly, we believe—that funding should be judged not by school districts but by the flow of children into those schools. The measure is intended to help children, not administrative units. It should also be remembered that schools are acting under a federal mandate, upheld by the Supreme Court, in providing extra services to these students, services that go beyond "equal opportunity." The federal portion of responsibility here is significant as it is with the mandate affecting handicapped students.

We urge, therefore that the years of funding, as in current measure, be linked to individual students. It would be exceedingly unwise, we think, to cut off federal aid for children with little or no command of English in school systems where their numbers continue to grow.

Similarly, we find it difficult to understand how, as these students' ranks do continue to expand, the Administration can propose a significant reduction; indeed, an increase in current funding may be needed if school systems are to provide sufficient help for these children.

Finally, I would like to add a word of caution: No matter which method of instruction is used, there should be no unrealistic expectations that addressing the language needs of these children will necessarily solve all of the difficulties they may face in school. There has been evidence for some years suggesting that factors other than language—particularly such socioeconomic factors as poverty, discrimination and parental level of education—may be the larger barriers for many of these students.

In a 1975 report, for example, the U.S. Civil Rights Commission stated:

"When discrimination and negative socioeconomic conditions do not exist, children are more likely to show no linguistic or cognitive deficit when being instructed in the medium of a second language."

Similarly, the Department of Education's Office of Planning, Budget, and Evaluation reported in its latest studies:

"An analysis of data from 1,850 students found that factors other than language background may account for most of the lower achievement of many language-minority children."

The education system clearly must do everything possible to provide equal educational opportunity for these students. But it is only one of many institutions working to assure access and equity in our society.

I want to thank you again for the opportunity to testify today and to commend the chairman and members of this subcommittee for their sensitivity toward and concern for the language-minority students of the nation. A reauthorized Title VII measure, we believe, can help provide a new beginning both for these children and for the nation's policies in this critical area.

TABLE A

SUMMARY OF FINDINGS FROM APPLICABLE STUDIES ON THE EFFECTS OF LEARNING*

Transitional Bilingual Education Versus Submersion

TBE:	Second Language	Math
Positive	10	2
No Difference	15	9
Negative	5	3

Transitional Bilingual Education Versus English as a Second Language

TBE:	Second Language	Math
Positive	1	1
No Difference	3	NA
Negative	1	NA

Transitional Bilingual Education Versus Immersion*

TBE:	Second Language	Math
Positive	0	0
No Difference	1	1
Negative	1	0

Immersion Versus English as a Second Language*

IMMERSION:	Second Language	Math
Positive	1	NA

* Math scores found in immersion projects in Canada are difficult to compare with scores in regular English curriculas. What can be concluded, however, is that students can achieve equally well (or better) in math classes taught in L2 as in math classes taught in L1.

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Mr. CORRADA. Thank you, Miss Davidson. We are sure there are many ways to teach these children, but we want to make sure that we don't take the easy way out and that the school districts don't take the easy way out, which could happen when you allow all kinds of flexibility.

Dr. Esther Eisenhower.

STATEMENT OF ESTHER EISENHOWER, PH.D., DIRECTOR, ESL PROGRAM, FAIRFAX COUNTY, VA., PUBLIC SCHOOLS

Dr. EISENHOWER. I am not here as a person who is trying to protect any license for any teachers; I am not here on the part——

Mr. CORRADA. Mr. Shanker will do that.

Dr. EISENHOWER [continuing]. Of any organization. I would like to introduce myself as an educator, and I don't think the likes of me has been heard lately in these hallowed halls. I think this House should ask us more often.

I am here to tell you about an experience which is not unique. It is only 15 miles out of the city. We have students from 75 different languages identified. In any single classroom of 25 students, we can identify 5 to 17 different nationalities. Only in this last week I have seen articles in two national magazines that are trying to really take away from what has been accomplished in Fairfax County by claiming that we have students who are atypical, because these are children of very educated politicians and diplomats.

Well, gentlemen and ladies, if the children of politicians and diplomats, if 62 percent of them can qualify for free lunches, then we have the children of diplomats and very highly educated professionals. And if these children come to us at the age of 13 through 19 and we have to create literacy classes to teach them on a second and third grade level, then we have a unique situation in Fairfax.

But the truth of it is, in spite of what all of you here might like to know, when title VII says and keeps the funding exclusively for bilingual education, there is tremendous pressure being imposed on school systems which the understanding that this is the only viable way to teach children. We did, in fact, research and entertain that, but when the realities of finding qualified teachers in all of those languages became very apparent to us, it was only a pipedream. When the availability of curriculum that has even a nodding acquaintance with what we do in our third and fourth grade, we decided that the best approach for us—and experience has shown us it is the best way for other school systems who do not deal with a homogenous grouping of students—the way is to teach them is through an intensive English as a second language program.

Our teachers are not just teachers who are born in Ohio and Iowa and California and Colorado. Our teachers are certified teachers who in August, 100 percent of them have met the State of Virginia requirements for English as a second language teacher. It is required that they have an extensive background in foreign languages in linguistics, in teaching, in the context of the second language.

If what we have accomplished, that children in the elementary grades can succeed, 48 percent of them within 1 year, 44 percent of them within 2 years, and only 8 percent of them need further help,

these children are succeeding in one of the best educational systems in this country. Then I shall be very proud to represent a school system that has had the courage to develop such a program.

We have never said that bilingual education does not work. What we have said is it works with some of the children some of the time. But it cannot work with all of the children all of the time. I need not remind you—and I did not hear it even mentioned here this morning—all of the language minority students in this country are not from Puerto Rico; they are not all Hispanic. There are Asians, Southeast Asians. Has anybody asked them how they want their children to be taught and to be educated?

The language-minority population has changed in the last 13 years. It has become more diversified, it has become more scattered, and I think that Federal legislation has the responsibility to reflect that. We and other school systems that I have talked to are not asking you that we should shirk our duty and our responsibility. What we are asking is that we be held responsible on how well we integrate and educate those children. But do not tell us how to do it because we would still like to keep the title of educators and that, with God's help, we will continue to do a very good job.

Thank you.

[Prepared statement of Esther Eisenhower follows:]

PREPARED STATEMENT OF ESTHER J. EISENHOWER, PH.D., DIRECTOR, ESL PROGRAM, FAIRFAX COUNTY, VA., PUBLIC SCHOOLS

Fairfax County Public Schools (FCPS) is a large school system with approximately 123,000 students. Much of the country can be characterized as suburban, while other sections have the characteristics of rural and small-town America. The population is economically and ethnically diverse.

Since 1976, increasing numbers of language minority students have enrolled in the school system. At present, approximately 4,000 have limited proficiency in English. Their ability to use English varies. Most newly enrolled students have little or no facility with English. The Fairfax County Public Schools provides an English as a second language (ESL) program for these students. The program is offered in approximately 60 elementary and secondary schools.

Several demographic factors have influenced the Fairfax County ESL program.

ESL students, who comprise 2 percent of the total student population, are widely dispersed across the county's 399 square miles.

Although a small number of students are children of diplomats or professionals who plan to live in Fairfax County only temporarily, most ESL students are the children of refugees and recently arrived immigrants. Approximately 62 percent qualify for free or reduced-price lunches.

Some schools have only two or three ESL students while others have over 200.

Few schools are attended by large concentrations of any one language group. In some schools, 5 to 30 different languages are spoken.

More than 75 different languages are represented by ESL students. Korean, Spanish, and Vietnamese are the predominant languages. Arabic, Cambodian, Chinese, Farsi, Japanese, Lao, and Urdu are also spoken by many students.

Beginning in 1979, an increasing number of students who have enrolled have had little formal schooling and are nonliterate or semiliterate in their native languages.

In 1976, following the *Lau* vs. *Nichols* Supreme Court decision, FCPS was urged by the Office of Civil Rights to adopt the preferred bilingual education approach. However, FCPS argued that the Lau decision allowed greater local flexibility in deciding the best way to meet the educational needs of students with limited English proficiency (LEP). FCPS did not believe it was appropriate to prescribe only one educational option for all youngsters, but rather that local school systems needed to consider carefully the linguistic, cognitive, affective, and social needs of the LEP population before deciding upon the option(s) which best meet the needs of different groups of youngsters.

As a result of an extensive systemwide needs assessment, FCPS developed an English as a second language program. This program has five different models for orga-

nizing instruction in the schools. The availability of these models assures a steady and rapid acquisition of English without neglect of subject matter achievement. Students are given instruction in English from one to five hours daily. The instruction is based on a special curriculum designed to teach English as a second, rather than a first, language.

The Fairfax ESL program has three major goals:

To help students learn English rapidly in order to make satisfactory progress in the regular school program.

To provide instruction which satisfies cultural as well as linguistic needs of ESL students.

To promote an appreciation of different cultures and their contributions to our society.

Providing language-minority students with the best possible overall education is an important commitment of Fairfax County Public Schools.

FCPS believes that successful language acquisition is a combination of the learners' innate ability, their experience with their native language, and the kind of second language instruction to which they are exposed. An effective educational setting needs to maximize the student's exposure to natural communication. Children cannot learn without being exposed to a language. They need to have the motivation to learn, and they must need to use the language communicatively. ESL teachers in FCPS insure that language input is meaningful, natural, and relevant to the students' daily needs. If children have no motivation to use the language for communication purposes, they do not use it or learn it. They need an immediate and practical purpose to which they can put the language.

One of the effective methods of teaching the real use of language is through a content-based curriculum. Using subject matter makes learning immediately relevant. The content area component of the Fairfax ESL curriculum provides an enabling environment which is conducive to the expression of ideas.

The selection of qualified ESL teachers is critical to the success of the ESL program. ESL teachers in FCPS are trained in the methodologies of teaching English as a second language; methods of assessing, evaluating, and testing LEP students; methods of teaching reading to LEP students, especially reading in the content area. As of August 1983, all ESL teachers in FCPS will meet the state of Virginia certification requirements; these include a background in linguistics and foreign languages. Furthermore, staff development workshops have emphasized the need to acquire skills in cross-cultural interaction, in observation, and in creating and adapting culturally relevant instructional materials.

On December 30, 1980, the Department of Education and the Office of Civil Rights concluded that the ESL program offered to LEP students in Fairfax County, Virginia constituted an acceptable alternative to federal requirements based on Ttle VI of the Civil Rights Act of 1964.

The Fairfax model is successful because it has been carefully planned to meet the idiosyncratic needs of the school system. The crux of the case is that every school district has a right to design its own program, whether bilingual, immersion, ESL, or some combination or variation of the three. The government's measuring stick should no longer be based upon the type of program implemented, but rather upon the effectiveness of opportunities offered to help LEP students make reasonable academic progress in all subject areas.

School districts differ markedly from each other in terms of variability of linguistic needs, demographics, availability of well trained teachers, and adequate curricula. Any implementation of an instructional program on the local level needs to take all the above factors into consideration. One of the most eloquent commentaries on the complexity of the task of educating language-minority students was delivered by G. Richard Tucker, Director of the Center for Applied Linguistics. He wrote:

"We believe that different educational options should be made available that will allow students to develop the ability to understand, speak, read, and write English so that they can participate fully in all aspects of American society. . . . Thus, for some, we would advocate programs of transitional bilingual education; for others, maintenance bilingual education would be more appropriate. . . . For still others, an appropriate model would be intensive English as a second language."—(Address delivered at the Department of Education's public hearings on the proposed Law Regulations in New Orleans, September 15, 1980)

Ramon Santiago, 1982 President of the National Association of Bilingual Education, speaking on the "Future of ESL and Bilingual Education in the Next Decade," concluded with the following remarks:

"Whatever position we bilingual educators favor, we must not allow ourselves to say that we oppose English-only options under Title VII, because bilingual programs

constitute the only way to serve LEP or NEP children. The evidence simply is not on our side. . . . We believe that bilingual education has numerous advantages beyond contributing to the acquisition of English by LEP children, but if we are to be professionally honest, we cannot claim that it is the only method or the best method in all circumstances. We have to admit (and we do admit) that under certain circumstances nonbilingual approaches may be more feasible and cost-effective than bilingual programs."—(The Future of ESL and Bilingual Education in the Next Decade. TESOL Quarterly, 1982, 16 (3), 1-3)

How effectively does the ESL program in FCPS meet its commitments to language minority students? A recent survey of 434 elementary students showed that 48 percent reached the goals set by the program after one year, 44 percent after two years, and 8 percent after three years.

We commend the Department of Education's recommendation that the best Federal role in education is to strengthen state and local discretion in decision making.

Many changes have taken place since the initial Title VII legislation. The LEP student population is now distinctive from what it was before as characterized by the new wave of immigrants, such as the South East Asians, the Haitians, and the Cubans. Furthermore, language minority students are no longer concentrated in a handful of localities; rather, they are dispersed throughout the United States.

Finally, the language-barrier concept can be defined in the extreme case of children totally dependent on a non-English language. However, language-barrier problems are more often than not defined by degrees of proficiency levels in the second language. Many children from non-English home backgrounds may be more competent in English than in the home language. Some students may have severe limitations in both languages. Furthermore, if children's educational needs are poverty-based, language programs may be only partial solutions.

As you consider legislation dealing with appropriate remedies under the *Lau* Decision, there is a need to recognize that factors other than language barriers can have the effect of denying children a meaningful opportunity to benefit from public education. Unfortunately, when bilingual education legislation was established, it limited research to examining transitional bilingual education specifically, rather than all pedagogical methods for students with limited English proficiency. As a result, federally supported research in this area may have explored only one aspect of the problem. At the world level, the field of research on bilingual education is characterized by disparate findings and inconclusive results. A study can be found to support every possible situation. If the federal government adopts greater flexibility in its approach, states and local school districts will have an opportunity to examine the range of possible alternatives and to determine which approach suits their configuration of resources, personnel, and student needs. This does not mean, as some might suggest, a decrease in the obligation of the school district to take affirmative steps to provide appropriate educational opportunities for language minority students. The legal mandate established under Title VI and the Law decision will still remain in effect.

Statutory requirements for special assistance for LEP students are embodied in the United States Department of Health Education and Welfare's May 25 memorandum (1970) and the United States Congress Equal Educational Opportunities Act (1976). The May 25 memorandum requires school districts to "take affirmative steps to rectify the language deficiencies" of all students whose "inability to speak and understand the English language excludes . . . them from effective participation in the educational program offered by a school district." The Equal Educational Opportunities Act makes it a violation for a school district to fail "to take appropriate action to overcome language barriers that impede equal participation by its students in instructional programs."

The Bilingual Education Improvements Act of 1983 reflects the changing needs of local districts and the States. It improves the current law while maintaining its basic goals and structure.

Mr. CORRADA. Thank you, Dr. Eisenhower.

I would like to ask one question of the four of you. Do you support the reduction in funding proposed in this bill from $139 million to $94.5 million? Is this consistent with your flexible approach to addressing the needs for students who are not proficient in English, and do you believe this cut in funding will serve the purposes or objectives of attaining a better education for these children?

Mr. SHANKER. No, we strongly oppose any reduction of funding. As a matter of fact, you can't do the job with the existing funding. There needs to be an expansion of funding. The need is great, it is growing, and the consequences of failure in having large numbers of children grow up and not being educated essentially and being able to function within our country will leave us with a tremendous price to pay later on in various ways. We believe there ought to be a great increase in the funding.

Mr. CORRADA. Would any of the other witnesses care to comment?

Dr. RAVITCH. Yes. I would like to say, Congressman, if the program is to remain as it has been, a mandate for a single method of instruction which has not prove to be correct for all children in every district in the country, then you will find very little political support for staving off the cuts in funding. I think that if it is to be changed and made a flexible kind of legislation which permits the district to address the problems of these children with whatever method they think appropriate, then I think the funding should not be cut and, in fact, should be increased.

Mr. CORRADA. Well, the bill proposes that flexibility, but further proposes a cutback in the funds. You would disagree with that?

Dr. EISENHOWER. Well, I would have a proviso in there. I do not believe that more is better. If it means you are going to put more funding and that we will do a little bit better job on the research that is available right now, that we will have a departure from the tradition we have developed into very myopic, very narrow research that we have, if it means we're going to upgrade the quality of research, upgrade the quality of teacher training, yes.

But right now I have very little hope. I think the institutions of higher learning have failed us. They have trainers of teachers who themselves have not been in the classroom in the last 30 years. I do not feel that really pumping more money, to churn out more teachers who cannot teach, is really an answer. As far as I'm concerned, it would be a waste of Federal moneys. We would need to have a list of expectations and a list of specifications of what we the people would like to see how our money is used for the best service to language-minority students.

Mr. CORRADA. Of course, I can see why Fairfax County really doesn't care too much in getting more money. It is one of the richest based counties in the entire country. But I wonder if you would have the same answer if you were working in New York or certain other areas in the country.

Dr. EISENHOWER. I would, because if you would know me, sir, you would know that my dedication is not for just the children of Fairfax County, and I disagree with you on that point.

I am not talking about giving money to Fairfax or to New York or to Philadelphia. I am talking about the responsibility of the Department of Education, who whatever agency is charged, with doing a far better job in providing the curriculum and the teachers and the research and the leadership, so that we can do a better job for all of the children, for those who speak Urdu and those who speak Hindi and those who speak Turkish and those who speak Vietnamese. We haven't heard much about that. That's the point I'm making, not the needs of Fairfax County.

Mr. CORRADA. Miss Davidson.

Ms. DAVIDSON. Yes, sir, if I may. Since I am a representative of all State boards of education, may I comment again that yes, we feel that we need additional funding rather than less because we are finding more students that need these services.

I would just like to give you an example. In our Midwestern State of Iowa, in the year 1975, we had 12 school districts that enrolled limited English-speaking students. In 1982, we had 170 school districts with those students, and it is continuing to grow. So we really need more money, not less.

Mr. CORRADA. Thank you.

Mr. Packard.

Mr. PACKARD. I think many of the points that I was interested in bringing up have already been discussed in these very excellent statements. I thought they were very well done and assist in putting the whole proposal in proper perspective.

The comment was made about other languages, and I had a point I wished to make. Time may not permit me to elaborate on it.

My wife and I were privileged to sponsor a Vietnamese family among some 23,000 of them that came to southern California some years back. In that family were two small children, one about 4 and one about 5. The 5-year-old entered school almost immediately upon arriving at our home.

There was no second language program or bilingual program for them, and yet that little 5-year-old student moved to the top of the class before the end of the kindergarten year and has remained there consistently, not knowing any English when they arrived.

Again, I recognize that my colleague, Mr. Simon, is correct, that there are incidents that could be used to demonstrate a variety of approaches and individual successes, but we need studies and information that would relate to the numbers. But nevertheless, I think there is a tendency in the bilingual program, and English as a second language, in this country to think in terms of Spanish and Spanish only. I don't think that's appropriate. I think we have to look at the whole program, and if you have Vietnamese, if you have Cambodians, if you have French or whatever, in your school, or Chinese, are you going to teach them in their native language, and if so, how are you going to use that to help them learn in English.

I think that's the thrust of this kind of a bill and I appreciate the statements that have been made. I really have no questions.

Mr. CORRADA. Mr. Erlenborn.

Mr. ERLENBORN. Thank you, Mr. Chairman.

Let me thank the panel for a very excellent presentation and apologize to you on behalf of all members of the committee for the time restraints that we have today. I think it is really unfortunate that we didn't have this hearing before the full committee and have full attendance. Even among the subcommittee members, unfortunately, we have rather poor attendance, for a variety of reasons. We all have conflicts. I myself was being urged to go to another subcommittee meeting where I was desperately needed and, unfortunately, this hearing was scheduled at the same time there was a Democratic Caucus. I wish my Democratic friends had been here to hear this testimony. I think it has been excellent and per-

suasive. I think they might even have been persuaded had they been here to listen to this panel.

I also want to thank you for your not falling for the trap of saying "give us more money and then we'll forget the goal of changing the legislation." I think you all have reflected that the way you are either constrained or freed from those constraints by this legislation is more important than the dollars.

Now, that is not to say you're not interested in the dollars. I know you are, and everyone who comes here, of course, would like to have more money for their programs. I am also certain there will be some changes in the authorization level as this bill goes through the legislative process. But you didn't fall for that trap of saying "well, we are against this bill because it cuts funding." You really are more interested in whether the program works than whether you get more or fewer dollars. I do think that was impressive and, again, I wish my Democratic colleagues and more of my Republican colleagues had been here to hear this testimony.

Yes, ma'am.

Dr. EISENHOWER. Mr. Erlenborn, since I am the only one here who represents a school system, I would really recommend—and it's not necessarily to come to Fairfax. I can cite you at least a dozen school systems who need maybe an on-site visit so that really you and the members of your committee would get in touch with what is actually happening in there. It is not as simple as what other people might think it is, and I think the responsibility has just been clouded in emotional rhetoric.

I think we need to hear more about pedagogy, It's a word that doesn't seem to be in too many people's vocabulary.

Mr. ERLENBORN. Let me say that when I came to this area a little over 18 years ago I heard much about the Montgomery County school system. It happened, however, that I located in Fairfax County and all three of my children have been educated in the public schools in Fairfax. Let me say that I think, though it may have been true 18 or 20 years ago, that Montgomery County had the best, I am convinced that Fairfax surpassed them long ago.

Dr. EISENHOWER. Well, we're willing to settle for one of the best. You see, falling in the trap of anything being No. 1, there is always somebody in there behind you to knock you off so that you're No. 2 and No. 3. We are wiser. I would like to think that what we do is best for the children of this country, and the language-minority students are certainly a resource that is very fine, very valuable and unique. I personally am very proud to serve with them.

Mr. ERLENBORN. If you're a representative of the Fairfax County school teachers, let me say, like Avis, I know you try harder.

Dr. EISENHOWER. Thank you very much, sir.

Mr. ERLENBORN. May I ask one question of Mr. Shanker—and this might be a rather direct question, and I don't mean in any way to offend you, and I'm certain I won't.

By any chance, is your support of this legislation tied to the fact that school teachers are being laid off in New York City?

Mr. SHANKER. They are not being laid off in New York City.

Mr. ERLENBORN. They're not?

Mr. SHANKER. They're not, and won't be. As a matter of fact, we will be hiring additional teachers in the fall.

I would like to say that we represent all the teachers in the district, including New York and most of our big cities in the country. That includes the bilingual teachers and it includes the teachers of English as a second language, elementary, secondary school teachers. We protect them all equally. We're just as sorry to see one laid off as another laid off.

By the way, from the very beginning we took the position that the bilingual teachers should be qualified enough in English so if ever the students of other languages disappear they wouldn't lose their jobs. They would go on to be mathematics teachers or English teachers or social studies teachers.

I think that is one of the terrible things about creating a separate category of teacher who is dependent on the existence of a particular language minority. The minute that language minority moves out of that district, what's to happen to those teachers after they have given 15 or 20 years of their lives to teaching? Do they just disappear?

No, we represent all the teachers. This has nothing to do with layoffs. This is a matter of both educational policy—and I would go a step further. I think it's a matter of national policy. I think it is a question of whether the best interests of this country are served by having the schools continue to bring people together—and one language is a very important part of togetherness—or whether we want to build into the national policy of this country another Quebec or other places.

Now, there are places in this world which, by history, are compelled to be bilingual, but I don't know of any nation that has ever chosen to inflict bilingualism on itself.

Mr. ERLENBORN. Thank you. Let me also compliment you and the American Federation of Teachers for being in the forefront of support for qualified teachers and for the proof of qualification and certification and continued certification and promotion in the educational system. I think this stands in stark contrast, by the way, to another large teachers' union and I do compliment you.

Mr. SHANKER. We are catching up fast.

Mr. ERLENBORN. You try harder, also.

Thank you, Mr. Chairman.

Mr. CORRADA. I would like to comment, of course, that the Province of Quebec in Canada comprises more than 25 percent of the entire territory of Canada, and its population comprises more than 25 percent of the entire population of Canada. It is a pretty much homogeneous population in that section of the country. To suggest that teaching bilingual education to very small minorities in this country—and, of course, the largest of those minorities is the Hispanic minority, which is less than 8 percent of the total national population—is comparing pears with apples.

Let's not raise the spector of divisionism that at times has been raised with respect to the Seperatist Movement in Quebec. Let us not scare people. There is no way that a population of 230 million individuals in this country will be hurt by teaching in their language some small Hispanic kid who came from Puerto Rico out of a total Hispanic population of 14.6 million in this country, scattered throughout the entire 50 States. So I think we have to be careful with these analogies.

Mr. Simon.

Mr. SHANKER. I think that that's not an accurate description of the point I made. The fact that a given minority is 8 percent of the entire national population doesn't mean that it is 8 percent of the population of any given region of the country, or of any given State, or of any given county or of any given city. I think what we are talking about here is not whether the entire population of the country is going to be damaged or hurt. I think we are talking about whether a national policy should foster a policy that brings people together by encouraging them to speak the same language, both in the national interest and in the interest of those individuals in terms of their success within our society.

There certainly are many places in our country where the teaching in the language of the original minority would encourage large numbers of people not to learn English if they could continue to get along for long periods of time without learning English.

Look, learning another language is very difficult. If it weren't difficult, Congressman Simon and I and others who very much believe that people should learn a second or third language would have been more successful in having people learn them. It is difficult to learn another language. People don't do it readily unless there are pressures put on them. You don't put pressure on children or their families if you tell them as long as you want, you can continue functioning in your own language. That way is a way of preserving and continuing and not moving them over into the language that they most need within our country.

Mr. CORRADA. They have to function in the English language and the society they live in, when they go out on the streets, when they talk to their peers, the other students in school, in the job and so on. So you're saying that just because you teach bilingual education to school children for a few hours, limited hours, during the school time period, that that child is not being exposed to all the other pressures which will make him an English-speaking individual.

Mr. SHANKER. If they're functioning in English in all these places, why do they have to be taught in their own language in school? If they can function in English in all these places, why not teach them in English?

Mr. CORRADA. Because they are lagging behind in an understanding not only of English but in science and mathematics. They are dropping out of school.

Mr. SHANKER. They will lag further behind if we continue to teach them in that language.

Mr. CORRADA. I know many would support the sink or swim attitude. You learned English. You did it, you mentioned, when you came to the fourth grade, so why don't the others do it, too.

Well, maybe you had to go through that trauma, but that doesn't mean we have to put all the children who have linguistic problems in this country through the same trauma just because you went through it.

Mr. Simon.

Mr. SIMON. I'm going to reclaim my time or mediate the dispute, one of the two here. [Laughter.]

First of all, it is interesting that Mr. Shanker entered school not knowing English. I would be interested in asking you, and also Dr. Eisenhower—you have a sentence in your statement, Mr. Shanker, where you say "I believed then, and it is even clearer now, that unless there is a time limit in a bilingual program, there will continue to be pressure upon parents to keep their children in bilingual programs in order to preserve existing political and personnel arrangements."

Now, we put into the existing statute a 5-year limitation, as far as Federal funding. Are you suggesting that there should be a different kind of a time limit in the reauthorized bill, and if so, what kind of a time limit are you suggesting? And I would be interested in your comments on that, too, Dr. Eisenhower.

Dr. EISENHOWER. I will start by telling you this. I think it will be superficial to say that this child should learn within this particular time, because I am really of the opinion that if you have, for example—and I have seen it in the last 2 years. Thanks to the Department of Education, we became, shall I say, notorious, not through any fault of our own. But there does exist school systems now who have absolutely nothing on the books as to who identifies the children and who decides they leave the bilingual program. It is completely capricious, completely subjective, completely decided on the school level where there is a vested interest in keeping the children in that particular program, so that also the particular teachers are being kept in there. That I find deplorable.

If the regulations specify very effective measures of identifying those who need the program, and the level at which that type of service will no longer be necessary, then you will not need a 2-, 3-, 4- or 5-year limit. I think that is artificial and I think it is capricious.

But the facts are right now—and this is what I complained about what is happening in this country—is that there are children who, just because their name is Gonzalez, even though they have been in this country for six generations, they are kept perpetually in bilingual programs. The purpose for which that legislation has been effected is nullified from the start.

Mr. SHANKER. I think we have to distinguish two things here. One is the number of years that an individual child should be in the program, and the other has to do with the funding for school districts for such programs. Those are two separate issues. There already is in the law a 2-year limit in terms of a child being funded in a bilingual program. The purpose of that 2-year limit—and we would propose that that be continued—is that the bilingual program clearly be a transitional program. This business of having someone in a bilingual program for 14 years—you know, to proclaim the success of the program, but say after 14 years a child still can't function in English, tells you something. So we would favor maintaining the two-year limit, which is already in the law.

Now, the proposal that there be a 5-year limit in terms of funding for school districts, we think that is not rational. The funding for a school district has to be related to the question of whether it continues to service youngsters who have this problem, and as long as you have a constant influx of such students into a district, it doesn't make any sense that, because there was an influx from

Cuba a few years ago, that Dade County will lose funds next year as they get either a new influx from there or from Nicaragua or El Salvador or Vietnam or somewhere else, that's just not rational.

Mr. ERLENBORN. Would my colleague yield?

Mr. SIMON. I would be pleased to yield.

Mr. ERLENBORN. Let me say that the 5-year limitation in the bill is meant to provide that period of time in which to put the resources in place to meet the needs of the bilingual program. I think we have to look carefully at that and see whether it is rational or whether we should possibly make changes in that limit. I can certainly see, say, in southern Florida, if they have the resources for the Cuban refugees to have a bilingual program for Spanish, and then they have an influx of Haitians speaking French, they may not have the proper resources.

I want to say it doesn't mean at the end of 5 years the bilingual program comes to an end. It is that during that 5-year period the resourses are put in place and then you don't need to rebuild those resources. But I think we have to be flexible and look carefully at this as this legislation moves through, as I hope it will.

Mr. SIMON. If I may ask one further question here before the chairman of the full committee moves in and takes over.

We have not mentioned one word here that I think sometimes gets overused in a great variety of areas, but I am wondering whether there should be—and I would be interested in your reaction—whether there should be any mandated testing where we have Federal assistance, so that we really find out whether we are, in fact, helping young people, or whether we are not helping them.

Is there any reaction?

Mr. SHANKER. My leanings would be in favor of it. I am generally opposed to spending sums of money without knowing what you get for it, and while tests as we give them today are certainly not perfect measures, I think at any given time you have got to use the best measures you have.

I think had we had testing written into this and other programs in the very beginning, we wouldn't be sitting here with charges and countercharges and guesswork as to does it or doesn't it work. We would have some facts before us. I think we would tend to favor that.

Dr. RAVITCH. Congressman, I think that the value of a test might be that at least it would establish what the goal of this program is. If the end point of the program was to take a test of English language literacy, then at least that would become clear.

I wanted to add, because I wasn't able to break in earlier, since we have all been throwing out anecdotal stuff, I have a son who is now a senior in college who decided he wanted to become fluent in Russian. He is a Russian studies major. He took a year or two at college in I guess what would be called bilingual, taking all of his classes in English but studying Russian as a language.

He wasn't progressing terribly fast with that, so he went into an immersion program for the summer at Middlebury College, which as you probably know is one of the best programs in the country. Within 9 weeks he was fluent in Russian and then spent 4 months in Russia becoming totally immersed in the language in which he is now fluent.

I happen to think that was very effective. However, because it was effective for him doesn't mean it would be effective for everyone else. I would not presume to say, as this committee has and as this Congress has, that what's right for my child or some children is right for all children. I think that's the point here, that what this panel is suggesting is that there should not be a mandated, single method.

Mr. SIMON. But if I may be more specific, what about a mandated test?

Dr. RAVITCH. I would have no objection to a test, if it were a test that clearly set the goals of the program, which is English language literacy.

Ms. DAVIDSON. I think, Congressman, as I mentioned earlier, I think it is important that we certainly fund some research as to which program is meeting the objectives that we desire.

When you mandate a test, my only problem is what type of a test and does it test all of the youngsters fairly. I think it is very difficult. I am not saying it is the wrong way to go, but I think we should be very cautious before moving into a mandated testing program.

Dr. EISENHOWER. I think she touched on something that becomes a nightmare with educators. We are talking about a multi-ethnic community, we're talking about children who come with many different cultures, many different backgrounds, different levels of English proficiency.

I would be a lot more comfortable if what we develop are standards of achievement, and that you can get educators to agree on. These are the type of skills we want the children to have. These are what some States are—we need to establish a minimum level of competencies that language-minority students need in order to succeed in the regular school system. But there is a lot of difference between a child leaving the ESL program in Fairfax County and going to regular sixth grade, for example, and the same child in other cities. So, you see, not all of the children all over the Nation are achieving on the same level. It would be a mistake to expect language-minority students to do so.

Mrs. ROUKEMA. Will my colleague yield?

Mr. SIMON. I would be pleased to yield, if I have any more time.

Mrs. ROUKEMA. I think this is an important question and I am glad to hear it discussed. But I don't know know whether I understand the answers of the panelists.

If the object is to have English proficiency, you're not suggesting there be a different standard of English proficiency for those that have gone through bilingual programs than there would be for all English-speaking students. Not all English-speaking students test at the same level and there will always be a differentiation. Why is it so difficult to apply normal English proficiency tests to this group of students at a certain grade level? I mean, what's the difficulty?

Dr. EISENHOWER. Because when the test is written, it is not to just purely syntax and language. There is a lot of culture involved in tnere, that if the child has not been exposed to it, or has been in this country for 2 years, he has a heck of a lot of catching up to do. Madam, that has been the mistake. We sometimes mix the ability

to speak and to communicate with the ability of a child to have accumulated a lot of givens, that we learn even after 15 years of watching television. Our tests, all national tests, can be biased in the negative sense with language-minority students.

I do not——

Mrs. ROUKEMA. Excuse me, but that's really not responsive to my point. I am not suggesting that after 2 years a child, both culturally as well as academically, would be at the same level of achievement as a child who has grown up in the culture. What I am suggesting is that there be certain proficiency standards of English that could be applied.

Dr. EISENHOWER. That's what I said. Certain levels of proficiency I will accept. But let's try to remember, when we say the 40th percentile, you're assuming that 40 percent of the American children are achieving below that, so then don't ask all of us to have our children achieve above that; that will be very unrealistic and impossible, and unfair. That's what I wanted to make sure of.

Mr. SHANKER. It seems to me that the purpose of the test would be to see whether those children who are in bilingual programs are doing better or the same as those who are in English as a second language, those who are in immersion programs. It is not so much to see whether these children are ahead of or behind those who didn't have this problem to start with, but it would give us, in the next round on this, some sort of an answer.

Here there are three or four or five fairly standard methods that are used by school districts across the country. If we had a single test administered to all these students, at the end of this we could start to say things about these different programs and the effectiveness of these programs in terms of English literacy.

Mr. CORRADA. It is 11:30 now and we have extended the hearing over half an hour. We now have the Chairman of the full committee here, and I would yield to Mr. Perkins.

Chairman PERKINS. Let me first state that I regret I did not hear these witnesses testify. I heard Secretary Bell this morning and then I felt I should go to some matters being discussed before the Democratic Caucus.

I am certainly delighted that Mr. Albert Shanker and the panel is here this morning. I have had the privilege of hearing Mr. Shanker before the committee on I guess more than a dozen times over the years. We are delighted that you are back here again and I will keep up with what the entire panel stated this morning. It's a very interesting subject.

I think we had now better convene the full committee right away.

Mr. CORRADA. We thank all the witnesses for their testimony, and we appreciate very much your appearing here today.

The hearing is now adjourned.

[Whereupon, at 11:33 a.m., the subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

[From the Los Angeles Times, June 6, 1983]

Bilingual Instruction Is an Answer, But Not the Only One

(By Diane Ravitch)

In recent weeks several major reports have criticized the quality of American education. Only one of them, the Twentieth Century Fund report, directly raised the issue of bilingual education. As a member of the task force that wrote the report, I have been troubled by the way in which our recommendation on this subject has been misunderstood.

Friends of bilingual education have attacked our report as a threat to the survival of their program. Critics of bilingual education have cheered us for supporting their position. Both groups are wrong. We did not recommend an end to bilingual education, nor did we recommend any other method for teaching non-English-speaking children.

What we did recommend was that the federal government should not mandate bilingual education as the best method for teaching English to all non-English-speaking children. We urged the federal government to state clearly "that the most important objective of elementary and secondary education in the United States is the development of literacy in the English language"; that federal funds that are "now going to bilingual programs be used to teach non-English-speaking children how to speak, read and write English," and that every public-school student have the opportunity to gain proficiency in a second language.

Since we were implicitly critical of the current emphasis on bilingual education to the exclusion of other methods, critics have claims that we were in some way in league with the Reagan Administration. It is worth noting that our 11-member panel was independent of any government agency and included well-known Democrats like Wilson Riles, the former California superintendent of public instruction, and Patricia A. Graham, the director of the National Institute of Education in the Carter Administration (now dean of the School of Education at Harvard University).

Unlike the other national commissions studying the state of the schools, our specific charge was to assess the nature of the federal role in education. We were aware that the Administration has been eager to reduce the federal presence in the nation's schools. However, we concluded that the federal government has a continuing obligation to concern itself with both the quality and the equality of educational opportunity.

We proposed federal programs to identify and reward master teachers, to encourage scientific literacy, to improve the research functions of federal agencies and to increase financial aid to districts that receive unusual numbers of immigrant children. We opposed tuition tax credits and vouchers, recommending instead that public education remain a public responsibility.

As it happened, our section on bilingual education turned out to be the most attention-getting aspect of the report. We held that literacy in English is vital because "our political democracy rests on the conviction that each citizen should have the capacity to participate fully in our political life; to read newspapers, magazines and books; to bring a critical intelligence to television and radio, . . . and to vote thoughtfully."

Under the best of circumstances, all American children should gain fluency in a second language, but, whatever the circumstances, equal opportunity in America today requires fluency in the English language.

Our task force was aware that for most of the past 15 years the federal government has pursued a policy of promoting bilingual education as the best, and in some situations the only, method to teach non-English-speaking children. In bilingual programs, children study English while continuing to learn subject-matter courses in their native languages. Bilingual education is supposed to serve as the bridge from the native languages to English.

In our view it is wrong for the federal government to require any particular method or pedagogy. Never in the history of federal-local relations has a particular teaching method been imposed by Congress and the courts on local school districts. Each district should decide for itself what method is best suited to helping children achieve fluency in English. And it should be acceptable within a district, or even a single school, to offer several different methods without losing federal funds.

As we saw it, if a district believed that the bilingual method was the best way to teach English, then it should receive federal funds to do so. But if a district preferred to use other methods, then federal funds should also be available. The important principle, we concluded, was that the goal should be the same for all: To see that every child in the United States becomes literate in the English language.

HEARINGS ON THE BILINGUAL EDUCATION IMPROVEMENT ACT OF 1983

TUESDAY, JUNE 28, 1983

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to call, at 9:35 a.m., in room 2175, Rayburn House Office Building, Hon. Baltasar Corrada (member of the subcommittee) presiding.

Members present: Corrada, Kildee, Ackerman, Bartlett, Packard, Nielson, and Chandler.

Staff present: John Smith, senior professional assistant; Nancy Kober, legislative specialist; Electra Beahler, minority education counsel; and Richard DiEugenio, minority legislative associate.

Mr. CORRADA. Good morning. The Subcommittee on Elementary, Secondary, and Vocational Education is holding its second day of hearings today on bilingual education. This morning we will hear testimony on the Bilingual Education Improvement Act of 1983, H.R. 2682. This bill, H.R. 2682, was introduced by our colleagues, Congressman Erlenborn and Congressman Goodling and embodies the administration's proposal.

H.R. 2682 proposes substantial revisions in the current Bilingual Education Act, including elimination of the requirement for native language instruction, a 5-year limit on funding for any school district and a reduction in the authorization from $139.9 million to $94.5 million.

The subcommittee plans to continue conducting further hearings on bilingual education.

Today in our schedule of witnesses we have Congressman Edolphus Towns. I have just been advised that he will be joining us a little later.

We have a panel of Awilda Orta, director, bilingual education programs, New York City Board of Education. If Ms. Orta will please come forward.

Tony Martin, chairman of the board, First City National Bank—Midland, Midland, Tex.; and Linda Tarr-Whelan, Director of Government Relations, National Education Association.

We would ask the panel of these three witnesses to please come forward. I understand Ms. Tarr-Whelan has not arrived yet so we will begin with those panelists who are present.

If members wish to make any introductory remarks or initial remarks, you may feel free to do so now.

We will then proceed with the testimony of Awilda Orta. I would like to advise the witnesses that their full testimony will be made a part of the record. We would appreciate it if they could summarize their testimony in about 10 minutes so we can proceed with the hearing.

So, Ms. Orta, if you would please start.

[The prepared statement of Awilda Orta follows:]

PREPARED STATEMENT OF AWILDA ORTA, DIRECTOR, OFFICE OF BILINGUAL EDUCATION, NEW YORK CITY PUBLIC SCHOOLS

I appreciate the opportunity to testify before the Committee on Education and Labor. Bill H.R. 2682 designed to amend ESEA title VII, the Bilingual Education Act, will change the original intent of the legislation and will move us into programs that are educationally ineffective, that have no standards, and that will be difficult to implement as well as to evaluate.

Even though the current title VII bill is chronically underfunded, it has helped school districts throughout the country establish quality programs for students of limited English proficiency. Such is the case with the New York City public schools.

When we look at the individual school districts and communities in New York City, we see similarities with other school districts throughout the country. In New York City we have large districts with many limited English proficient students. We also have small districts with increasing numbers of limited English proficient students. We have districts with only one language group represented while there are districts with as many as 25 different languages represented. New York City will always be an important port of entry for new arrivals from other parts of the country and from different parts of the world. In my 19 years of experience in the New York City public schools I have always found this population to be enthusiastic, eager to participate in their new environment, and willing to work hard and to make sacrifices.

In New York City 85,000 of our population of 925,000 students are of limited English proficiency. This population is larger than the entire school population of such cities as Boston, Cleveland, Atlanta, and Denver. Because these students come to us with different needs and different educational experiences, we have responsibility of providing them with the opportunity to develop to their fullest potential and to help them become positive contributors to this society.

It is the goal of the New York City schools to provide the opportunity and the environment whereby these students learn to be fully competent in English and wherever possible continue to develop skills in their first language. In addition, the student can take content area courses in the first language and can continue to progress in these areas while learning English.

ESEA title VII has helped us improve the quality of education for our language minority students. The current ESEA title VII program has helped in the areas of capacity building, academic achievement, parental involvement, teacher trianing, and in numerous other positive ways which are sometimes difficult to describe.

In addition to the basic tax levy allocation we give the schools on a per pupil basis, we give an additional 9 million dollar allocation to the schools. This additional funding assists us in meeting the needs of our different populations. It also assists us in meeting our responsibility to maintain programs once title VII funds are no longer available.

In community school district 20 in Brooklyn, where we have pockets of populations that are linguistically different, we have the Luis Munoz Marin school. Their bilingual program was started with title VII assistance. They have not had title VII funds for 6 years. Yet their very strong beginning with these funds has today produced a school where there are bilingual classes on all grade levels funded by tax levy dollars.

Community school district 4 in Manhattan, has had a bilingual Gifted and Talented program for the past 3 years. Next year the district will assume the costs for the program and will use it as a model in carrying out its goal for all the gifted programs in the district. The title VII director will be the district director for gifted education. Here we have but one example where a bilingual education program has taken the lead to bring about educational change throughout an entire district.

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In another community school district in Queens we have a situation where the district turned back title VII funds over 10 years ago. They have since received title VII programs. Last year they began reciprocal bilingual programs with their own funds.

I could give you numerous examples of projects funded first through ESEA title VII funds which have helped programs for the learning disabled, for the gifted language minority student, or have begun a vital arts program or computer education program which have made a tremendous impact not only on the individual lives of language minority students, but have made a significant impact on the system as a whole.

Perhaps the most important statement we can make is one in which we answer the question, "In bilingual education programs, are the students learning English and is native language important within the process? Let me share some significant statistics with you. During school year 1982 the attendance for all high schools was 75 percent, while the attendance for bilingual programs in those schools was 90 percent. We must admit that if we can get them to come to school we stand a better chance of teaching them. More importantly, are these children learning English? During school year 1982 at the fourth grade, of the limited English proficient students who participated in a bilingual program for 2 years, 26.6 percent met the promotional criteria. While of the students who had participated for 4 years of more, 44.3 percent met the promotional criteria. This concurs with the research of James Cummins that students derive benefits from bilingual programs after participating for 4 years or more.

Another interesting statistic is the one which reflects the number of students who are reading on or above grade level. In New York City, as result of being administered the California Achievement Test, 55.5 percent of the students in grades two to nine scored at or above grade level in English reading. When we looked at the statistics which reflected students reading below grade level in English during school year 1982, 8.8 percent of the entire population was reading 2 or more years below grade level. This included limited English proficient students, some of whom were exempt from taking the test and therefore scored zero. For school year 1983, the percentage is 6.4 percent. It represents almost a 30 percent reduction in the number of students reading 2 or more years below grade level. This is an important indicator that students of limited English proficiency are doing well on a citywide basis. When we review the gains made by individual schools, we discover the Rafael Hernandez bilingual school in community school district 9, a poor district in the South Bronx. It is the top school in the district with 51.5 percent of its population reading on or above grade level in English. In a similar district in Brooklyn, district No. 17, 70.8 percent of the Haitian and Hispanic children are reading on or above grade level in English at P.S. 189, the districts trilingual school.

These are good examples of the fact that limited English proficient students are progressing in English. It is further evidenced by the fact that in a bilingual program, a well articulated English as a second language program, with the proper support, will have a longer lasting effect on student achievement.

Continued native language arts development using the native language in the content areas is the proper program support needed to create the educational environment necessary for an English as a second language program to flourish. Let me illustrate, I'm using now the statistics for school year 1982. District A and district B are two similar districts, except that district B is in a middle-income area while district A is considered a poor district. Ten years ago district A ranked 32d out of 32 city school districts. During school year 1982 it ranked 15th. While district B ranked in the mid-twenties. From school year 1981 to school year 1982 district A's reading achievement improved 10 percent. District B went down 1 percent. District A's dramatic results are due to a sophisticated network of alternative schools and a chain of bilingual centers which are recognized as models throughout the country. During school year 1982 40.6 percent of the students in the bilingual centers were reading on or above grade level. The bilingual centers alone were at the same level as all of district B. This year the average rose, 42.3 percent of the language minority students are reading at or above grade level. The bilingual centers alone outrank 5 different school districts throughout the city. The dramatic difference between district A and district B is the fact that district A has a well designed bilingual program with an articulated native language program and a good English as a second language program. District B does not. District A has consistently received ESEA title VII funds and has been a leader in the area of educational innovation. Limited English proficient students do well in district A.

There are interesting individual stories such as the fact that Christiana Lui of John Bowne and Edwin Calderon of South Bronx High School, were their schools'

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valedictorians. There were at least 21 UFT scholarships awarded to students in bilingual programs in the high schools. (The UFT is the New York City affiliate of the AFT.)

Pilar Lopez came to New York City from Mexico in 1979 and entered Part West High School. In June 1982 she was installed in the National Honor Society, and will be attending the Maritime College of the State University. Ricardo Salazar of Flushing High School received the Wagner Scholarship which is an award of $10,000. Kim Sun Bum received scholarships to Alfred University and Colgate.

In Morris High School, Hector Oseguera received a full scholarship to Cornell; Daisy Velez to Fordham; and, Haydee Modregul to William Smith. High school students who have been participating in bilingual programs will be attending such colleges as Colgate, Polytechnic Institute, SUNY, Farmingdale, University of Massachusetts, and Cornell, as well as the City University of New York. These are but a few of the many gains made when programs with the proper supports are implemented well.

There are many other benefits derived from title VII programs. The Office of Bilingual Education has a parent training program. With these funds we give parents the opportunity to participate in activities where they can learn more about their responsibility to their children, and to the schools. This past year we held a series of parent conferences. There were over 300 parents at the Hispanic parents conference, and almost 500 parents at the Chinese conference. In addition to assisting 26 parents obtain a high school equivalency diploma, hundreds became active in district affairs. English as a second language classes, school acivities—areas where Hispanic parent participation had been lacking.

Even though we have made serious gains, the administration of the New York City public schools realizes it still has much more to accomplish. We experienced a constant influx of new arrivals almost on a daily basis. We must have good programs and high expectations for our students if they are to be successfull within our schools.

The proposed bill H.R. 2682 will keep us from exacting the best possible commitment for these students. The definition the bill proposes is too broad and cannot be accepted as a meaningful guideline for bilingual education programs. The flexible requirement concerning use of a childs' native language will result in federal support for ineffective educational programs or no programs at all. In this new context the use of the native language could depend on district whims rather than pupil need. The absence of standards will make it difficult to provide proper instruction and make it difficult to assess pupil progress. The use of such concepts as "usual language" will eliminate portions of the population who are American citizens and further dilute the purpose of the funding. H.R. 2682 recommends a 5-year funding limit. This does not take into account school districts like New York City. The size of the population, the constant flow of new groups, and the changing needs of these groups would of necessity require more than a five year period of funding. In addition, bilingual vocational education programs are crucial for this population. To attach them to this bill without program design and without standards will detract from both the present basic programs and the vocational education programs. More so if at the same time the present funding level of ESEA Title VII is cut. I recommend that it remain as part of the vocational education program.

Finally in keeping with the recommendations of the National Commission on Excellence in Education, the Commission states that competency in a language other than English serves the Nation's needs in commerce, diplomacy, defense, and education. Furthermore, and more importantly, the Commission states, "All, regardless of race of class or economic status, are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost. This promise means that all children by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgment needed to secure gainful employment and to manage their own lives, thereby serving not only their own interests but also the progress of society itself." The present Title VII programs assist us in giving these children competent guidance.

UFT SCHOLARSHIPS

Student's name	*High School*
Pilar Lopez	Park West
Joel Luu	Newtown
Niel Lui	Newtown
Elizabeth Yi	Newtown
Blanca Tapia	Theodore Roosevelt

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Rafael Valle	Theodore Roosevelt
Thanh Ben Ho	Theodore Roosevelt
Maritza Coma	Boys and Girls
Gennady Gazinsky	F. D. Roosevelt
Jose Centeno	F. D. Roosevelt
Ana Luisa Ariza	F. D. Roosevelt
Beatriz Arrendelo	F. D. Roosevelt
Teodoro Morales	James Monroe
Gloria Chang	Seward Park
Chia Ping Chen	Seward Park
Yat Sum Wong	Seward Park
Hui Ling Li	Seward Park
Cindy Chiu	Seward Park
Wendy Pui Pui	Seward Park
Carol Galarlza	Jane Addams
Maria Beras	George Washington

ATTENDANCE RATE 15 PERCENT HIGHER IN BILINGUAL EDUCATION THAN IN GENERAL EDUCATION IN COMPREHENSIVE HIGH SCHOOLS

(Percentage of attendance 1981–82)

School	General education	Bilingual program
Manhattan:		
Park West	72.05	90.16
Julia Richman	70.01	87.19
Louis Brandeis	76.48	90.23
George Washington	71.12	92.94
Washington Irving	77.43	98.21
Seward Park	77.75	97.62
Benjamin Franklin	55.42	76.05
Subtotal	71.46	90.34
Bronx:		
John F. Kennedy	79.43	96.33
South Bronx	71.75	86.76
Adlai Stevenson	74.34	85.47
Dewitt Clinton	67.44	84.61
Theodore Roosevelt	63.61	88.09
Walton	71.41	87.48
Evander Childs	74.03	93.21
Christopher Columbus	74.61	92.30
William B. Taft	61.33	87.42
Morris	72.44	86.04
Subtotal	71.04	88.77
Brooklyn:		
Sarah J. Hale	76.70	93.41
Clara Barton	86.13	93.15
South Shore	79.43	93.39
John Dewey	84.91	85.36
Franklin D. Roosevelt	75.60	92.71
Fort Hamilton	73.41	87.73
Bushwick	70.92	87.07
George Wingate	74.73	92.06
Erasmus Hall	76.84	95.77
John Jay	70.74	91.17
New Utrecht	71.82	86.04
Thomas Jefferson	60.52	82.14
Abraham Lincoln	77.10	89.52
Subtotal	75.3	89.52
Queens:		
Grover Cleveland	83.46	89.35

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ATTENDANCE RATE 15 PERCENT HIGHER IN BILINGUAL EDUCATION THAN IN GENERAL EDUCATION IN COMPREHENSIVE HIGH SCHOOLS—Continued

(Percentage of attendance 1981–82)

School	General education	Bilingual program
Flushing	82.68	93.34
Newton	87.56	95.80
Long Island City	83.49	93.06
Forest Hills	85.85	93.14
Springfield Gardens	77.28	92.89
Subtotal	83.39	92.98
Citywide total	75.3	90.5

LENGTH OF TIME IN PROGRAM POSITIVELY AFFECTS STUDENT ACHIEVEMENT

Fourth grade

After 1 year program participation—26.6 percent met the promotional criteria.
After 2 years program participation—35.4 percent met the promotional criteria.
After 3 years program participation—39.7 percent met the promotional criteria.
After 4 years program participation—44.3 percent met the promotional criteria.

Seventh grade

After 1 year program participation—12.5 percent met the promotional criteria.
After 2 years program participation—15.7 percent met the promotional criteria.
After 3 years program participation—23.3 percent met the promotional criteria.
After 4 years program participation—26.3 percent met the promotional criteria.

STATEMENT OF BETTY RIOS

Helio, my name is Betty Rios. I am in bilingual class 2-2 in P.S. 314, the Luis Munoz Marin School in Brooklyn, N.Y., district 20.

I feel very happy in my bilingual-bicultural class at my school. My teacher speaks English and Spanish. We learn to read and write in both languages. On Puerto Rico Discovery Day on November 19, we had a very good program to celebrate our heritage. We have studied about the Taino Indians as well as our American patriots. The children in our school are happy and in our class, we very often have perfect attendance. I am hoping to someday come back to P.S. 314 and be a teacher or the principal there.

I ask you to help support our bilingual program and help people understand how well they work.

I learned to read in Spanish in first grade and in second grade I was able to learn to read in English and continue reading better in Spanish.

I think it's a wonderful program and when I have my children, I would like them to also have bilingual programs.

STATEMENT OF AWILDA ORTA, DIRECTOR, BILINGUAL EDUCATION PROGRAMS, NEW YORK CITY BOARD OF EDUCATION

Ms. ORTA. Thank you. I appreciate the opportunity to testify before the committee this morning. I feel that the bill, H.R. 2682, which is designed to amend ESEA title VII, the Bilingual Education Act, will change the original intent of the legislation and will move us into programs that are educationally ineffective, that have very little standards, will be difficult to implement as well as to evaluate.

I come from a very large school district in this Nation, New York City. We have 925,000 in our public schools; 85,000 of these children are considered limited English proficient. That's more than

the entire population of school districts like Boston, Cleveland, Atlanta, and Denver.

Our goal in our public schools is to provide the opportunity and the environment to develop competency in English in these students and to further develop their skills in their other languages while they are developing English.

Title VII in the past has allowed the school district of New York to grow in a number of different areas, in capacity building, in developing academic excellence among our students in providing our parents a voice in our public schools.

Let me give you a few instances where title VII has helped the city as a whole in our commitment toward capacity building once the funds are no longer available. We have a school district, district 20 in Brooklyn and there is a school P.S. 314. In 1973 they started with four classes, one supported, in part, by title VII.

Title VII funds were stopped in 1979, but today in that school they have 21 bilingual classes. Last year in June 1982, 100 of the original 121 students who had started the program in kindergarten graduated from the sixth grade; 80 percent of those children who went through that bilingual program and graduated from the sixth grade, 80 percent of those children were reading on or above grade level in English.

We have another school district in Manhattan, district four and they have been funded with a title VII program to develop a program for the gifted and talented. This is the last year of funding. That district has now committed to continue that gifted and talented program with its own funds and use the model developed under the bilingual program in title VII to be used in the other schools in the district. That's another good example of capacity building.

In Queens, we have a school district that in 1974 turned back title VII funds because they didn't want to implement a program. Subsequently, they wrote other proposals and received funding and last year with their own funds, their own tax-levied funds, designed reciprocal bilingual programs for the Greek and American children in the district and the Hispanic and American children in the district.

So, New York is a perfect example of cases upon cases where capacity building is an example.

But if we look citywide, this year our reading results have been outstanding. Citywide 55.5 percent of the children in New York City are reading on or above grade level in English according to the California Achievement Test. When we look at the other end of the scale, children who are not doing well, children who are reading 2 years or more below in reading, last year 8 8 percent of the total New York City population was reading 2 or more years below in reading. That includes limited English proficient students who were excused from the test and scored a zero, and that was added in the results.

This year 6.4 percent of the total population is reading 2 or more years below in reading. There has been a tremendous improvement even within that limited English population that it takes longer to develop in the English language.

If you look at poor school districts across the city, a school district in the South Bronx in district nine, the top school in the dis-

trict is a bilingual school and 51.5 percent of those children are reading on grade level.

If we go into Brooklyn in district 17, there is a trilingual school where Haitian children are learning English and Spanish-speaking children are learning English and they are learning within a bilingual setting; 70 percent of those children are reading on or above grade level in reading.

So if you want to ask the question, are children who have been in a bilingual program and who have been using native language instruction, are they learning English, are they continuing to develop and the answer is yes.

I would like to compare two school districts, one in Manhattan and one in Brooklyn. The school district in Manhattan, in bilingual programs in that school district 40 percent of the children are reading on or above grade level in reading while that school district in Brooklyn is considered among the lowest in the city even though they have pockets of middle income areas within the district.

The school district in Manhattan with full bilingual programs, with native language instruction, has improved districtwide, 10 percent in its reading capacity and the school district in Brooklyn has not improved.

The difference between the school districts is that the one in Manhattan has a full bilingual program with a native language component. If we look in terms of individual children, we can look across the city at the achievements that these children have made by being able to participate in bilingual programs. We look at Christiana Lui who was the valedictorian of John Brown High School or Edwin Calderon who was the valedictorian at South Bronx. We look at Pilar Lopez who was a Park West High School who came from Mexico in 1979 and spoke no English and last year was inducted into the National Honor Society. We look at Ricardo Salazar from Flushing High School who won the prestigious Wagner Scholarship which is a $10,000 award to go to college. We look at Kim Sun Bum of Flushing High School who also and he has been awarded scholarships to Alfred Smith and to Colgate.

We look at Morris High School. Morris High School, as you know is one of the schools pointed out by President Reagan as one of the outstanding schools with outstanding leadership. The principal of that school was a former title VII director. Three of the students in that school who were in the bilingual program—Hector Osequera won a full scholarship to Cornell; Daisy Velez to Fordham; and Haydee Modregul to William Smith. These are students who if it had not been for the opportunity to participate in the bilingual program would not have had this chance.

Throughout the city are students in our high schools who have participated in bilingual programs who have been admitted to such schools as Colgate, Polytechnic Institute, University of Massachusetts, Cornell and many other colleges.

We have had extremely good luck in terms of our parental participation. Last year we had a conference with Hispanic parents the conference dealt with issues relating to the school system and it was given in Spanish and we had 300 Spanish parents participate.

We had a Chinese parents conference and the material was presented in Chinese. We had 500 parents participate—parents who had been disenfranchised from the school system because they couldn't speak the language.

Ladies and Gentlemen, I just want to underscore the fact that a good bilingual with a strong native language component will help students participate in their subject matter while they are learning English and that English is the priority and that the children do learn English as a result.

We need a good legislation in the future, similar to what we have now. H.R. 2682 will not exact the best possible commitment. The definitions are too broad, there will be no meaningful guidelines because you can't adhere to a definition such as this.

The use of native language will depend on the whims of the school district rather than on pupil needs. The absence of standards will make it difficult to implement programs and to assess pupil progress. The idea of the usual language will eliminate that native language and the importance of native language in the context of what we are doing and eliminate portions of the population who are American citizens.

The 5-year funding limit to the bill will hamper school districts like those in New York where the size of the population is really huge and there is a constant flow of new groups and the changing needs of these new groups to meet the changes in this society. We need more than a 5-year funding limit.

Finally, the inclusion of bilingual vocational education within the entire act will dilute the program. As it stands now, it has no program design, there are no standards and it will take away from the basic programs as well as from the intent of bilingual vocational education.

I would recommend that vocational ed stay within the context of the regular vocational education legislation.

I would like to end with a quote from the recommendation of the National Commission on Excellence in Education which states that "All"—speaking of students—

> regardless of race or class or economic status are entitled to a fair chance and to the tools for developing the individual powers of mind and spirit to the utmost. This promise means that all children by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgment needed to secure gainful employment and to manage their own lives, thereby serving not only their own interests by also the progress of society itself.

I believe that the present title VII legislation assists us in giving these children competent guidance.

Thank you.

Mr. CORRADA. Thank you, Ms. Orta.

We will defer questions to this member of the panel until we have finished listening to the testimony of all of the panelists.

Mr. Tony Martin.

Your statement will be made part of the record and you may proceed.

[The prepared statement of Tony Martin follows:]

PREPARED STATEMENT OF TONY MARTIN, CHAIRMAN OF THE BOARD, FIRST CITY NATIONAL BANK OF MIDLAND, MIDLAND, TEX.

Mr. Chairman and members of the committee, I would like to thank you for this opportunity to appear before this committee and testify on bilingual education. I am coming to you as a businessman looking for ways tro improve a business climate and at the same time foster our public educational institutions. I am the chairman of the board of First City National Bank of Midland with $450 million in assets. I am also the manager of the Western Region of First City BANCORP. with total assets of approximately $16 billion. I am the treasurer and an active member of the executive committee of the Texas Research League which is a public policy institute dedicated to addressing issues confronting the state of Texas. And I am vice-chairman of the Industrial Foundation of Midland. I have been in business in the State of Texas for the past 35 years. These involvements have led me to examine and take an active role on behalf of the advancement of bilingual education programs within our State.

I come before this committee not as an educator, but as a business leader and concerned citizen who believes in providing our children with the best possible education. And as a business leader operating on the southern border of our county and engaging in numerous transactions with Latin America, I am in a position to know that we should approach bilingual education as an opportunity for this country and not as a problem.

Since I come from the Southwestern part of the country I come before this committee with a southwestern experience, and when we talk about bilingual education we are talking about the Hispanic community. And I think we should examine the population figures as they impact the rest of the nation. The Hispanic population in the United States is growing approximately six times faster than the majority of the population. Between 1970 and 1980, the total United States population increased 11 pecent, whereas the Hispanic population increased 61 percent.

Millions of ethnic minority students attending American public schools are hampered in their education attainment by an English language deficiency. Of 49 million children in our Nation's schools, approximately 5 million speak a principal language other than English. Hispanic Americans constitute the largest such miniority group and their numbers are increasing.

According to the National Center for Educational Statistics, the Hispanic population retains its native language to a greater degree than other ethnic minorities. Approximately 85 percent of Hispanics live in households in which Spanish is spoken as the usual household language. Of the total 1976 school age population (ages 4 to 25) 12.8 percent were from households where a language other than English was either the usual or second language.

Bilingual Education is a critical issue to the Southwestern area of the United States and to the Texas community. In 1976 Texas had an estimated population of 509,400 LEP students. By the year 2000, it has been projected that we will have a population of 853,500 LEP children, from the ages of 4 to 14. We are a State that will have a Hispanic population of 50 percent by the year 2000. And these figures impact heavily on our political, economic, and educational outlook.

In Texas, we are looking at long range solutions to our educational problems and educational opportunities. Educators and members of the Texas Research League are considering the advisability of requiring 2 to 4 years of Spanish as a requirement for high school graduation. This is seen by many as a logical, sound outgrowth of our present demographic situation.

Bilingual Education is only part of the larger need to foster an increased interest in Bilingualism. The inherent prejudice of Americans against learning foreign languages has been foolhardy and costly to U.S. interests. We are lagging behind many of the industrialized countries in the world in part because of a lack of understanding of the different cultures and languages involved in today's global economy. As the world becomes increasingly interdependent, the need for Americans to learn other languages will no longer be an option but a necessity.

This necessity is exemplified by my own situation. The south Texas economy is very dependent on the south of the border business community. It is necessary to know both Spanish and English to transact business in an efficient way. The Spanish language is an integral part of all aspects of everyday life in Texas. The need to

know Spanish will increase as business expands into Central and Latin America. Learning Spanish is not just for fun, it's good business.

On a nationwide level, it is important that American businessmen know how to speak and understand the languages of the world economy; Japanese, German, and Arabic to name just a few. As our business interests will be served by learning languages, so will our political interests. One need only look at how costly to U.S. interests was the fact that in 1956, only six Americans spoke or understood Vietnamese. The parallel today is Central America, to understand the political situations in El Salvador, Nicaragua, and Guatemala, one must have a knowledge of the history and culture, and this should include fluency in the language of these nations. The same could be said for the situation in the Mideast and Africa.

If we must realize the need to increase our country's language proficiency, we must also realize that we have our greatest natural resources already here. Today in the Southwest, we have a large pool of students with a great advantage. They speak Spanish. I am a true believer in the need to enhance this second language capability. If we end up teaching our children English, but neglect their native language in the process, we will have failed. It makes absolutely no sense to lose one language in an attempt to learn a second one.

We should foster this retention when they are young and have a greater ability to grasp languages. Through bilingual education, therefore, children can master English without losing their equally important native language, whether it be Vietnamese or Chinese or Spanish. Further, this is an expanding natural resource. Although enrollment of children in elementary schools continues to decline, the number of children who have limited English proficiency is increasing rapidly. I would like to see a day when we not only foster the retention of a native language, but make bilingual education programs available to all students.

Bilingual education also serves our interests by keeping these children in school longer. In areas with good bilingual education programs, the retention and completion rates for Hispanic high school students has inceased dramatically. This is no small matter for a State with a Hispanic dropout rate of almost 50 percent. The reason for this is obvious. The children feel more comfortable in a familiar surrounding but more importantly, it also enhances the self-esteem of the child to know that his or her native language is a positive, not negative aspect of him or herself. Anyone, young or old, can take great pride in the fact that they know two or more languages and pride, we all know, encourages and motivates.

Bilingual education will allow us to cultivate well-educated and language-proficient students who will enter the job market with adequate skills and can contribute to the needs of a changing economy. In the Hispanic community, the work ethic is held in high regard. We cannot waste the labor, intellectual and human resources of these people, the new ideas and actions by shortchanging them so early in life. An adequate education breeds unemployment and poverty in the Hispanic community which the Government will eventually have to deal with; by limiting bilingual education, we are geing penny-wise and pound-foolish.

This policy of limitation will perpetuate the Hispanic underclass and evantually create a social, economic and political disaster for the United States. Further, by limiting or eliminating Bilingual Education, we are foolishly squandering an important asset for the future when we will be attempting to regain our competitive edge. The time has come for the United States to include languages in its list of priorities for the future well-being of this country.

STATEMENT OF TONY MARTIN, CHAIRMAN OF THE BOARD, FIRST CITY NATIONAL BANK--MIDLAND, MIDLAND, TEX.

Mr. MARTIN. Thank you, Mr. Chairman and members of the committee. I appreciate the opportunity to be here and speak with you relative to bilingual education. I come from Texas and have a very provincial outlook, I suppose, on bilingualism and the need for second languages in our community.

In Texas right now you can draw a line east and west across the State about San Antonio and below that line, south of that line, 50 percent of the population is currently Hispanic. Fifty percent of the school population in that area, the southern part of Texas, is currently Hispanic, primarily, of course, Mexican American.

We project that by the year 2000, 50 percent of the entire State will be Hispanic, primarily Mexican American population. If that's true in Texas, chances are very good it will be true in the entire Southwest and at the same time, the Hispanic population in this country as a whole is growing at the rate of about 61 percent as compared to about 11 percent for the same period studied of the Anglo population. This, in itself, points up the need for not only bilingual education at the lower levels to train these young people in the primary language in this country, but perhaps even a need on the part of Anglos to train themselves in the need for a second language which should probably be Spanish.

It concerns me when this Hispanic population is growing at the rate it is growing, that we, in turn, at the Federal level diminish the effort on the part of the educational authorities to foster a second language, which, in this case, is the English language with these minority students.

They come into the classroom as 6-, 7- and 8-year-old children literally bewildered by being totally immersed into English and without any help at all on the part of the teachers, they maintain that bewilderment and become harrassed and less than 50 percent of them ever complete high school. This is a terrible waste in our country. Not only is it a waste from a humanistic standpoint, but it's a waste from an economic standpoint.

The only minority that I can really speak with any authority on is the Hispanic minority and I know from actual experience in business, they have one of the highest work ethics that I have ever experienced. They have an extremely high productivity. They believe in work and they believe in taking part in the activities on a local and a statewide basis in our part of the country and they should be encouraged.

We can't really give them that principle attitude that they are a part of our society unless we foster that feeling on their part in their early and formative years. A part of that is to begin to instill in them the fact that they are actually a step ahead of the Anglo students because they already know what in this country is a foreign language and that should be enhanced, and then they should be trained, in my judgment, so that they are better able to participate in our society by fostering their English language education.

We can only do this in the early years by giving them early instruction bilingually, by using their principle language as a starting block. If you don't do that and you limit them for the rest of their lives really by not giving them this early start in their educational process, we lose, I think, more than 50 percent of the potential productivity of these people.

I think it's a mistake if we begin to limit now the funds to foster this education. I think this should be expanded. I think we are going to find, as this country continues to populate and grow that the Hispanic culture and language, principally Spanish, of course, is going to become more and more important rather than less and less important. I think in the United States we could even look at ourselves as being terribly provincial in the almost fear so many Americans have, English Anglo-Americans have of a second language, of a foreign language and the attitude that so many businessmen have that, "If you don't speak English you simply can't do

business with me." Even when they go to a foreign country so many have this attitude and I think that's provincial. I think it's narrowminded.

I think we are going to find that as the entire world continues to get smaller, and particularly, the Western Hemisphere, as we foster this bilingualism at this level now and begin to expand it through the years, even to the point that the Anglo student feels the need, the necessity for a foreign language that our cooperation and ability to get along with and do business with countries south of the United States will become much easier and more profitable and could even increase our ability to be as a hemisphere almost totally independent economically from the rest of the world, if that ever became necessary.

Whether it ever became necessary or not is immaterial. The fact is that from an economic standpoint, if we are able to get along with and do business with the people in this hemisphere, we have so much less expense, therefore, so much more profit in the business that we conduct. Virtually all of the natural resources that are needed for a society to exist are evident in large quantities in the Western Hemisphere alone. Nearly 50 percent of that population speaks Spanish or Portuguese, Hispanic languages right now, and that population is growing faster than the Anglo population.

In my judgment, this is only a first step, bilingual education at the K through 12 level. In Texas we are studying the proposition now that perhaps Spanish ultimately and not in the too distant future should be required in the K through 12 educational process and probably 4 years of it, certainly a minimum of two, to even complete high school by all students, the Mexican American student as well.

So many of the Mexican American students come from families at this current time that don't have some of the fully developed skills of the Spanish language themselves. Their vocabularies even in that language are very limited. It's our feeling that as this bilingual education idea develops that probably there will be just as much need for Spanish in the K through 12 educational process as there is for English. I think that this is only a first step, this bilingual educational necessity for the minority students, that we are talking about here today.

I think the funding for bilingual education should be increased rather than decreased.

Mr. CORRADA. Thank you, Mr. Martin.

I would like to call Linda Tarr-Whelan. Has she arrived?

I am told she hasn't arrived so we will go ahead with the questions for these two panelists.

Ms. Orta, in your experience as an educator and as a director of New York City's bilingual education program, are your programs being restricted by the title VII law in designing, developing and implementing programs of education for your school system language minority students?

Ms. ORTA. No; not at all. What title VII has allowed us to do is keep apace of educational innovation that has been important to us.

We have been able to develop programs, for example, of computer education at a point where we are keeping up with the rest of

the system for this population. Without title VII we would not have been able to do so. We have all sorts of programs—early childhood programs, programs in gifted education. We have a program, for example, in one of our high schools in Brooklyn where the Italian students are learning trade and tourism in both Italian and in English and they are using computers and the computers are programed in both Italian and English.

Title VII has really opened up new worlds for this population, where in the past it's almost a catch-up or what's been left over. We are now ahead of the game and we would like to stay there.

Mr. CORRADA. What would your view be of those that advocate a limited bilingual education program that is short-term in duration and uses a child's home language or native language only for the first few months? What impact do you feel that this would have on the educational opportunities of children in New York, for instance?

Ms. ORTA. I think it's rather shortsighted, whether it's in New York or California or Texas. It's almost like putting a Band-Aid on a broken leg. In American education young children begin learning English right away—English-speaking children. They don't stop the learning of English until the university level. In most universities they probably feel that they should continue on even at the postgraduate level. You never stop learning and developing a language. That first language is sort of the foundation for developing the second language and the better you are able to deal in your first language, the better your skills are in your second language.

A program of a 2-, 3-month duration would not help at all and would be as effective as no native language program. I would recommend a program where a child comes in and begins to learn language and as that child develops in English competency, more and more content area is being taught in English and that child continues to develop native language. Native language competence is directly related to second language competency.

Mr. CORRADA. Mr. Martin, would you care to comment on that?

Mr. MARTIN. Only to agree. I think such short-term training it might be just as well to forget it altogether. The bandaid on the broken leg well expresses it. These children need this kind of training for a minimum of 3 years, as a bare minimum, this aid in their home language, their native language, and of course, as I said earlier, this, so far as my personal consideration is concerned and judgment, I think this is only a first step.

Mr. CORRADA. Ms. Orta, would you care to comment on the proposal in this bill that funds to any school district will be limited to a 5-year period? How do you view this proposal?

Ms. ORTA. It really limits a school district, because you would look at a school district and say, "All right. It has received money for 5 years. It should be able to mount a program." In areas like New York that are changing drastically every day—if you had gone to an area in Queens, for example, maybe 4 years ago, you would have found large Greek populations. If you go there today, it's a Korean population. Now maybe 4 years ago, we would have received funding and helped with the Greek population and perhaps next year we would need it for the Korean population, but be-

cause the city has only received funding for a 5-year period we would not be able to get that kind of help.

It's not taking into account the size of the population, the constant and daily flow of people through areas like New York and the changing needs. Education is changing. We have got to have very literate, highly trained students and a 5-year funding period is just too short.

Mr. CORRADA. How do you respond to the 20th Century Fund Task Force on Education's recommendation that the Federal funds now going to bilingual programs be used to teach non-English speaking children how to speak, read and write English? In other words, do you believe, as an educator, that there is an inconsistency between the effort and objective to develop English proficiency by children with limited English proficiency and bilingual education or do you feel that there is no such inconsistency?

What are your comments in this area?

Ms. ORTA. Well, it's interesting. I was on the MacNeil-Lehrer Report a couple of weeks ago with Diane Ravitch who was one of the authors of the 20th Century Fund Report and she continued to say that the report did not go against bilingual education.

What the report stated was that they recommended that Federal funds be used to help children read, write and speak English, and up to there, I agree 100 percent with the report. What the report failed to do was to recommend a process and a context.

I believe that the best context is within a bilingual education program because we have proven—I have mentioned just some of the statistics that we have and success stories, where, within that context, children are learning English. It's a fallacy that the children in these programs are not learning English. They are being very successful in developing skills and the end result is they are being competitive with their peers.

Another interesting factor that I have mentioned in my written statement was that, although we have all of these groups asking for more flexible programs and, in reality, saying one thing and meaning another, we have—and I surveyed maybe 4 or 5 high schools—a minimum of 21 students in those high schools who have gotten UFT scholarships—UFT is the United Federation of Teachers, which is an affiliate of the American Federation of Teachers. They have awarded a minimum of 21 scholarships this year to high school students who have been in bilingual education programs so that the best context for the development of native language—development of English language skills and the development of skills so that children can be competitive is that bilingual education program.

Mr. CORRADA. Thank you.

I will yield now to Mr. Nielson.

Mr. NIELSON. Yes, I would like to ask Mr. Martin—you mentioned that in Texas that there are a lot of Hispanic people and I can understand in Texas or in California or New York where we have a large number of people with a second language, a native language other than English that this might work very well.

But there are other sections of the country where there are very few people with the non-English background and the bilingual edu-

cation there, if you only had one or two students in the classroom, would create quite a financial burden.

My question, I guess, is this, you emphasized as did the other witness that the main objective is to learn English and to learn to speak English and write English and would agree that there is more than one way to do that? In other words that bilingual is only one of several methods to do that?

Mr. MARTIN. Yes, I would agree.

Mr. NIELSON. Would you agree that the English as a second language approach may work, particularly in areas where there are relatively few non-English speaking people?

Mr. MARTIN. Would I agree with what?

Mr. NIELSON. Yes. Would you agree that that would work?

Mr. MARTIN. Yes, that there are relatively few in some areas.

Mr. NIELSON. Now, the purpose of this bill, as I understand it, is to allow some flexibility and not mandate that it has to be done by a bilingual approach. Do you basically disagree with that idea? I am not asking you about the funding or the length of term, which I understand you have some reservations on, but the approach of allowing either bilingual or English as a second language or structured immersion, would you agree that that flexibility is desirable?

Mr. MARTIN. Well, I think that flexibility is a necessity.

Mr. NIELSON. Thank you.

In other words, you don't think the Federal Government should be required to use just the bilingual approach?

Mr. MARTIN. Well, I am not sure that I agree that the Federal Government should or can require a particular bilingual approach.

My feeling is that where it is economically feasible, even if the cost is high, that it should be done because of the resource that we have in these children that's not being developed.

Mr. NIELSON. Your second point was that in Texas at least the white English-speaking individual should also learn Spanish because a lot of the business is transacted in Spanish and we have an obligation to learn more than English as individuals. I would not disagree with that. I think we are delinquent in that. When we travel abroad we are limited. We do not speak other languages. They generally speak our language in addition to their own and we have a definite handicap. So I would agree with that.

However, that's a separate program. What I am talking about is people whose native language is something other than English who come into our school system. Most of the education that we give them is in English and it's essential they learn English as much as possible.

Do you think it's possible that if we emphasize bilingual that they will be delayed in learning English?

Mr. MARTIN. No, not at all. As a matter of fact, it enhances their development in the English language, and the reason it does is because it instills in these youngsters, children, really, 6, 7 and 8 years old, a confidence that they simply do not have if they are totally immersed in English at these early ages. They become bewildered.

Now it may be that you have in your own mind total immersion as a means for learning the language and I would agree that that's

a very effective way, properly tutored. Total immersion is an excellent and rapid way to develop in any language.

We are dealing with a situation here that total immersion really isn't applicable to, in my judgment. The reason is this. Total immersion really works when the individual, whether it be a child or an adult, is conditioned mentally to accepting total immersion in a positive way. Also, it's much more effective if the individual that is being totally immersed on a class or an individual basis, is an educated person or a person that comes from an environment that is very positive toward education and the development of the mind.

So many of these young minority children simply do not come from that background. They don't even have a high proficiency in their own language, much less in the other language. So many times their parents are not well educated and simply do not have the ability to condition them for total immersion in a foreign language.

As a consequence, they don't enter this school system with a positive attitude about learning. They enter it and from the first day forward become totally bewildered and that's why less than 50 percent of them ever complete high school.

Mr. NIELSON. I agree with some of your statement. All I am saying is, don't we in Congress have a duty to investigate all of the alternatives and not put all of our eggs in one basket?

Mr. MARTIN. That's correct.

Mr. NIELSON. I can think of areas in the country—New York is one example, Florida is another example, Texas, parts of California, where maybe the majority in a particular school may not have an English background and I think that bilingual is perfectly appropriate in those instances.

Mr. MARTIN. Indeed.

Mr. NIELSON. But you get in the sparse areas like my own State of Utah, for example, where we may have 2 out of 100 who have English as a second language, and it would be almost impossible costwise or any other way, to have a bilingual program, per se, and I think that what this legislation needs is to give you a chance to look at alternatives and fit it to the situation we have.

Let me ask one question of——

Mr. MARTIN. Could I comment?

Mr. NIELSON. Yes.

Mr. MARTIN. Excuse the interruption, but I think you make a very valid point and I don't disagree with it at all and I will go further to say that in situations where you have maybe only two or three Hispanics or Puerto Rican or Vietnamese or whatever minority in a high school, that certainly the agency that would be awarded the funds or would be given trust for the funds to fund these programs locally should have the right, and not only the right, but the responsibility to consider the economic impact and the cost efficiency of these funds when they are awarded. I don't disagree with that at all.

Mr. NIELSON. I would like to ask you Mrs. Orta, on your table at the very back of your testimony says, "Length of time in program positively affects student achievement." In the fourth grade you indicate that after 1 year, 26.6 meet the promotional criteria; after 2

years, 35; then 39; and after 4 years, 44.3. That's starting in the fourth grade.

In the seventh grade, you start with 12, 15, 23 and 26. Is there some indication from these data that the program works very well with younger children, but may not work quite so well with older children?

Ms. ORTA. No, I am glad you asked that question. The students in the fourth grade are students that we have had through our educational system for the 4 years or have just come in our impact. The students at the seventh grade are students most in need, have not have a bilingual education program before and most of these children listed in those statistics have come from countries where they have had incomplete schooling or came to us and they were illiterate. Maybe they have come from political situations like El Salvador where they have been able to go to school or they have come from situations where they have gone to school on and off.

So, we need to first build their skills in the native language and then get them onto learning English. What happens after that is that there is a rapid progression, but many of those children come without any skills at all to the schools and that's one of the problems that we are experiencing at the upper grades.

Mr. NIELSON. I appreciate that. That wasn't obvious from the table and I appreciate that explanation.

Ms. ORTA. I am sorry.

Mr. NIELSON. That's all of the questions I have.

Thank you.

Mr. CORRADA. Thank you, Mr. Nielson.

Mr. Bartlett?

Mr. BARTLETT. Thank you, Mr. Chairman.

Mr. Martin, I am from Dallas, Tex., which is on the east side of Midland and welcome to Washington.

Mr. MARTIN. Thank you.

Mr. BARTLETT. I really welcome and appreciate the testimony of both of the witnesses today. You have provided us with some insights and with some facts that are very helpful.

In Texas, as Mr. Martin was saying—I have read through both your testimony and your background—we have a long history of partnership between business and education that benefits both, I think, and benefits the future of the State.

I commend you for your participation in that. We are grappling with—I hope what this committee does and what we ought to do this morning and what I hope Congress does in the future is to grapple with the specific issues that are raised in this bill, because this bill that is proposed—there are some features of it that I disagree with it—but on the whole the nexus of the bill will improve bilingual education in this country across the board. And I think that we all can, by giving this approach a fair hearing, we can improve bilingual education and do so from the Congress.

I suppose the nexus of the bill, or the main point of the bill, is to say that there are different approaches in bilingual education, depending on the student and depending on the proficiency of that student in English and in that student's native language, depending on the size of the school district, the size of that language's pop-

ulation in the school district and a number of other things, including the availability of teachers.

So pursuing that, let me first ask Ms. Orta, how many languages have you identified in New York City and how many are you serving?

Ms. ORTA. We have bilingual programs in 13 different languages and there are children who come from about 40 to 50 different countries. We have the gamut of full bilingual programs and we have programs where it's ESL only.

Mr. BARTLETT. Are you saying that there are forty to fifty different native languages represented in New York City?

Ms. ORTA. That's correct.

Mr. BARTLETT. And you are only able to serve 13 of them?

Ms. ORTA. We have bilingual programs in 13 languages where we have sizable populations. In most of the other languages, the numbers are rather small and scattered.

Mr. BARTLETT. As I understand, the way title VII is now structured, in essence, you are prohibited from serving those other languages even if the student can't speak a word of English, unless you are able to provide the full range of the transitional approach that the current title VII mandates. Is that essentially correct?

Ms. ORTA. What title VII does is, it gives you a well structured program for bilingual education. If we begin to dilute that definition, we would dilute the efforts of bilingual education. We serve the other language groups that are scattered or, in some cases, where there are maybe 10 or 15 different languages represented in the school, by using a number of other funding sources that are available to these children that are not necessarily available within a bilingual education approach.

Chapter I is a very good example where these funds are used to a great extent for this population. We also support title VII funding both with a strong tax levy commitment and the chapter I funding for these children where there are two or three and where it would be economically feasible and program-design-wise to serve them under chapter I with both chapter I and tax levy funds.

Mr. BARTLETT. Well, let me rephrase my question. The Houston school district tells me that there are some 30 or more different languages in their school district. They believe that they have students that can't speak English and they would like the opportunity using bilingual funds, title VII funds, to help those students learn math and science and English and chemistry and their other subjects, but they are prohibited today by Federal law from doing so.

Are you saying that's also the case in New York City and you are using other funds to serve the other students?

Ms. ORTA. That's the case, but let me just make a very strong recommendation. Instead of trying to dilute the definition of bilingual education and the focus of bilingual education, what I would strongly recommend is that there would be separate funding and separate program design for schools and school districts where you have either a very small population or there is a large mix of language grouping. That way we would keep the integrity and intent of bilingual education and we would help those schools and school districts by using a separate direction and separate funding.

But the important thing in the latter portion is to have a certain program design and standard, because, if not, what we are going to be doing is giving school districts money because they have kids not because they have programs to deal with these children.

Mr. BARTLETT. I suppose it would be a difference in semantics. What we need is not a dilution but a strengthening of the intent of bilingual education using the approach of allowing a school district to adopt the approach that best serves the student that is in need of bilingual education.

If this bill were passed maintaining the approach that allows a range of instruction approaches, which is the language in the bill, would that prohibit New York City from doing anything that you are doing now in your judgment, leaving aside the funding size and the capacity buildings?

Ms. ORTA. New York City is committed to working with all of the different populations and we have a specific design for each of the instances and we would continue to do so. But we have to realize that in the past, semantics have stopped us from providing good programs for kids. You know, we had the *Brown* decision where we said we would integrate our schools with all deliberate speed, and semantics have stopped us in the past.

We broaden the definition. We say, "Well, any kind of program is possible as long as it's in the best interest of kids." We know in the past, States have not done this, local districts have done this. It's when you design programs, you have good evaluations and you have standards. That's when you meet the needs of kids.

Mr. BARTLETT. Would you add a standard then, so that students then would have a proficiency test at different levels of their bilingual education?

Ms. ORTA. We have that now. We measure kids on different levels whether it's a very rigid testing program as we have in New York City—we are constantly measuring proficiency and that's good. We want kids to be ready for the future.

Mr. BARTLETT. Well, as Congress begins to mark this bill up and to examine the issues in this bill, and as I hope the public does, as a way to strengthen bilingual education, I hope that this committee takes care not to impose any additional requirements—in fact, maybe to release some so that New York City, which has an excellent program, as you have testified—a successful program so that we continue to permit you to help build that program, to do what you are doing now and to add perhaps a range of other opportunities for your students.

Mr. Martin, just to confirm, of course, what Mr. Nielson asked you—and, of course, you and I are both familiar with the range of instructional techniques that Texas schools use and I think, by and large, with the large Hispanic population, I think, by and large, the transitional approach is the best approach, although not necessarily for each student.

Many students will come into a school system speaking English better than they do Spanish and it makes no sense to require that they go into a transitional approach and be taught science in Spanish, for example, because of a Federal law or because of some straight jacket placed on the school districts.

I just want to confirm what you said a minute ago, that you would support then this flexible approach or a range of approaches where school districts can have some opportunities to select the best educational approach in bilingual education.

Mr. MARTIN. Mr. Bartlett, I don't think I could make a judgment relative to that particular arrangement or part of the bill not being a trained educator or a professional teacher. I don't know what the best method is insofar as structuring a program. I am really here only as an advocate for bilingual education. Getting down to the specifics I would have to yield to the professionals in that area relative to those kinds of judgments.

Mr. BARTLETT. Would you think that there should be only one approach for the whole Nation or that the Midland School District should be able to select. In all research and what you have read, I know, all of the current research says that there are several different approaches that work in different situations.

Would you generally urge us to allow the Midland School District to choose the right approach?

Mr. MARTIN. Well, I will have to be very candid with you there and say that I am not of the persuasion that believes that federalism can resolve all of our problems. I think that the decisionmaking process in most instances should be placed at the lowest possible level that is trained to make that decision.

Mr. BARTLETT. The other part of the bill, I think, is the part of the bill that we are going to have to, as a Congress and as a committee, grapple with, and that is the 5-year approach of capacity building. The administration has demonstrated in testimony before this committee a great deal of what they termed "flexibility" in that. I think that is worthy of debate. In general, I would concur that to limit this bill or title VII for a 5-year period probably does not do justice to the new students who will be in a program at the end of 5 years. So, in that, I would concur with the witnesses and I very much appreciate their very eloquent testimony.

Thank you.

Mr. CORRADA. Thank you, Mr. Bartlett.

Just one question. Is there anything in the current law that compels or forces a school district to apply for title VII moneys when they only have one or two or three school children in the district that would be limited in their English proficiency, Ms. Orta?

Ms. ORTA. No, whether a school district has two or three or many children, you don't force a school district to do anything. That's the beauty of title VII. It's competitive. It gives you a strong base to design really innovative programs. We have had districts that have decided not to seek title VII, the district that I mentioned before.

But as their population grew and they saw the value of the programs funded under title VII, they then applied and were granted funds. There is no tying of hands or forcing any district to comply to any one method under title VII.

Mr. CORRADA. So the current title VII is not forcing——

Ms. ORTA. That's right.

Mr. CORRADA [continuing]. Any specific school district to apply for funds under it and use native language instruction in the cases where they find that they don't really have a problem concerning

the number of limited English proficient students in that school district.

Ms. ORTA. That's correct.

Mr. CORRADA. Now if you do apply for title VII moneys and you do get a grant for title VII moneys, then you have to comply with the regulations and the law.

Ms. ORTA. That's right and that's for all funding and that's as it should be. I think the one good thing is that it sort of gave us standards and a parameter by which to design our programs and it didn't lock us into any one particular kind of program.

If you come to New York City you can see a number of different kinds of experiences that children are participating in that are very, very different.

Mr. CORRADA. When you do apply for title VII moneys and you are providing native language instruction, is there anything in title VII that says how much native language instruction should be provided to any specific child or how many hours or how strong that native language instruction should be in any specific school district vis-a-vis another school district?

Ms. ORTA. No, it doesn't bind you; it helps you design according to individual pupil needs, according to the length of time the students have been here in this country and what it does ask you is after a 2-year period to evaluate the students and see how they are progressing.

It's really an excellent way of allowing school districts to use native language in a very positive way.

Mr. CORRADA. Thank you.

Our third panelist has now arrived.

I would like to state that, Ms. Orta and Mr. Martin, you are welcome to remain here while we listen to the third witness and ask her questions. If any of the two of you, since you have testified and answered questions, have other commitments or feel that you would like to be excused, then feel free to leave. You are welcome to stay, however.

Ms. ORTA. Thank you.

Mr. CORRADA. We have now Linda Tarr-Whelan. She is the third member of this panel and her full statement will be made part of the record. We would appreciate it then if you will summarize it in any manner that you may wish within a 10-minute period and then we will ask questions.

Please proceed with your testimony.

[The prepared statement of Linda Tarr-Whelan follows:]

PREPARED STATEMENT OF LINDA TARR-WHELAN, DIRECTOR, NEA GOVERNMENT RELATIONS

Mr. Chairman and members of the subcomittee: NEA represents about 1.7 million education personnel in all of the United States and the Overseas Dependents Schools. Our support for equal educational opportunity for children who do not speak English or who have limited proficiency in the language is part of the historical foundation for the Bilingual Education Act of 1968. NEA was instrumental in the passage of this law and is firmly committed to its successful implementation and continuation.

We believe that the Federal Government has a critical role in public education in general, and in bilingual education in particular. The Federal Government must: (1) assure equal educational opportunity for all citizens; (2) enhance the quality of

public education in our nation; and (3) provide general financial assistance to local public education agencies for maintenance and operation of the public schools.

The association has had a policy position favoring bilingual education since 1968, and was involved in efforts to provide it before then. The current resolution, amended in 1981 to include English-as-a-second-language [ESL], is reproduced below.

"B-2. BILINGUAL AND ESL EDUCATION

"The National Education Association believes that bilingual and English-as-a-second-language [ESL] programs are unique and necessary, each committed to addressing specific student needs and providing equal opportunity to all students, regardless of their primary language.

"The bilingual program, which includes functional proficiency in English as a goal, uses a student's primary language as the principal medium of instruction in a bicultural setting.

"The ESL program develops proficiency in English through a systematic instructional program using English as the instructional language with students who have a different primary language.

"The Association urges that both bilingual and ESL programs include as a goal functional proficiency in English, with emphasis on the development of those basic language skills essential to the successful pursuit of all other disciplines. Whiie these programs should stress the development of exit criteria to facilitate moving the studnts into a total English program, no students should be moved into nor maintained with the total English program until they have demonstrated the ability to function in such a program.

"The Association supports federal and state legislation which would require and fully fund bilingual and ESL programs for all students who are not proficient in the English language because it is not their primary language.

"The Association also believes that legislation must provide funds to expand current bilingual and ESL programs, including those for teacher preparation. (81)"

In 1982, NEA's Representative Assembly adopted its Legislative Program for the 98th Congress which includes the following provision:

"BILINGUAL AND ESL EDUCATION

"Bilingual and English-as-a-second-language [ESL] programs which are unique and necessary to achieve functional proficiency in English should be funded sufficiently to be available to all students not proficient in English. The educational program should reflect the cultural diversity and heritage of the children within the district including, but not limited to, Chicano and Spanish-speaking children, Haitian children, Asian and Pacific-American children, Native Hawaiian children, and American Indian/Alaska Native children."

Our major comments and specific recommendations concerning the "Bilingual Education Improvements Act of 1983" are included below.

FUNDING

Inadequate funding will ultimately defeat the goals of the Bilingual Education Act. The rhetoric and niceties of language will have no meaning for millions of non- or limited-English-proficient children who are deprived of equal educational opportunity through the lack of meaningful and effective programs and services.

The appropriations for bilingual education programs have been cut even as the needs have continued to expand. They have decreased from an amount of $167.9 million in fiscal year 1980 to $157.5 million in fiscal year 1981 and $134.4 million in fiscal year 1982. The fiscal year 1983 budget request was a paltry $92 million. Yet only 206,000 students are now receiving the benefits of the programs, which ought to serve an estimated non-English-speaking school population of 3.6 million.

To maintain services at fiscal year 1980 levels, $258.8 million is needed. But this need differs by about $165 million from the $95 million authorization level included in H.R. 2682.

Drastic budget cuts are a denial of the reality that an increasing number of non- or limited-English-proficient children desperately require language instruction. The federal government has an important role to play in adequately supporting this program and thereby assuring these youngsters equal educational opportunity. Furthermore these students represent a valuable national resource of bright, young minds which, except for the barriers of a different language, are usually eager to learn and do well in school.

The preamble to H.R. 2682 calls for ". . . focusing the program on building the capacity of local educational agencies to carry out programs of bilingual education . . . ." Clearly, State and/or local fiscal capacity will dictate the very existence of these programs should the funding continue on a downward trend. A cursory look at the financial condition of states and cities will reveal that "capacity" is more akin to "incapacity," with no change promised in the near future.

We also note that H.R. 2682 limits eligibility for funding to school districts for 5 years. This provision is too restrictive, and ignores the very real fact that a community may experience successive waves of non-English-proficient newcomers with very different language needs. Funding should be predictable and stable over a long period of time to assure that programs work effectively.

THE ROLE OF TEACHERS

A recent article in the New York Times, "A Humane Look at Bilingual Schooling" (May 31, 1983) by Fred M. Hechinger, referred to the significant role teachers play and the current shortage of teachers in bilingual education.

"Bilingual education has worked in many classrooms. But it can accomplish its goal only if teachers themselves are truly bilingual and, in addition, are competent in the subjects, such as mathematics or history, that they teach; and only if they understand their mission to make the children fluent in English as rapidly as possible so that they can move fulltime into regular classes.

"The most serious obstacle to achieving those goals is the lack of teachers to play that difficult role. Last year, the Department of Education reported that about 56,000 such teachers would be needed, but that fewer than 2,000 such teachers were currently being produced."

By any muasure there is a serious shortage of teachers prepared to teach in bilingual and ESL classrooms. The most conservative estimate is that the number of teachers must be increased fourfold. Administration proposals seriously threaten the already limited number of programs designed to prepare teachers to work with linguistic minority students. At current funding levels, the most optimistic projections place meeting this teacher shortage will into the 21st century.

Funding levels for teacher education should be substantially increased. Programs for teachers should include training in linguistics, ESL methodology, curriculum development and evaluation, and the student's language and culture.

As the Nation's largest organization of teachers we urge that any amendments to the bilingual education legislation be directed to refining an already successful approach and building on much of the knowledge gained in the many years since the act first became law.

Any efforts to improve upon the education of language minority students must consider the successes of current educational approaches which concentrate on building English skills, focus on a child's language skills, and assure that the child does not fall behind in school while learning English. Most important, future funding priorities should concentrate on building the capacity of our Nation's schools to address the needs of an increasing language minority student population by placing emphasis on the preparation of those teachers who are to work in bilingual/ESL education.

Finally, Federal programs to meet the special needs of language minority students should include adequate funds specifically earmarked for teacher training, with specific provisions for teacher involvement in all stages of planning and implementation of this training.

ELIGIBILITY

Current Administration efforts to target students will do great harm to bilingual education programs by introducing vague and confusing criteria for identifying those students who should participate in the program. By limiting bilingual education programs only to those students whose "usual language is other than English," the Administration is effectively excluding Native Alaskan and American Indian Students from receiving the help which addresses their particular language needs.

A current provision of the regulations allows up to 40 percent of the students in a bilingual classroom to be fluent speakers of English. English speakers in a bilingual classroom have tremendous opportunities to learn and practice second language skills. 2682 misses an excellent opportunity to build on existing resources, and this at a time when this country is focusing on the need to strengthen international links through languages.

The dropout rates continue to be highest among language minority students, especially among Hispanics. This problem requires more, not less federal support to

school districts already in serious financial trouble. Where it has been properly implemented, with correct staffing and accurately diagnosed and programmed students, bilingual education combined with ESL approaches has been found to help these students significantly. Dropout and truancy rates decreased and students learn enough English to quickly merge into the mainstream of our nation's schools.

Research in the area of academic achievement clearly signals the importance of using the child's primary language as part of the instructional program.

Well designed and properly conducted longitudinal studies in Colorado (Spanish), Arizona (Navajo), Alberta (Ukranian), Sweden (Finnish) and New Mexico (Spanish) conclude that the academic performance of linguistic minority students improves greatly when these students are allowed to use their language as they are learning (report prepared by the California State Department of Education).

NATIVE LANGUAGE INSTRUCTION

The proposed amendments allow the Department of Education to fund ". . . whatever education approach a school district believes warranted so long as that approach is designed to meet the special needs of the population and can be justified as appropriate by the school district." NEA supports strong safeguards which will insure that the program selected provides a positive, effective educational environment for each child in keeping with the mandate of the *Lau* Supreme Court decision.

Linguists and psychologists agree that language is central to learning and important to a child's identity. Common sense indicates and experience repeatedly demonstrates that children succeed in school who feel welcomed and who can understand what is being said. This was the spirit of the Supreme Court Decision in *Lau*, 1974, when it required school districts to provide ". . . meaningful educational experiences". The administration is in effect inviting school districts to revert to teaching only in English, using the "sink or swim" method, an approach which has not proved successful.

NEA does not oppose the granting of flexibility to LEA's to develop the type of language education program which will most effectively meet its students' needs, including bilingual education, English-as-a-second-language, and other limited-English proficiency programs. However, we will resist strongly, through the Congress, the courts, and the regulatory process, any attempt by the Federal government to permit or encourage LEA's to back off from their obligation to students who lack sufficient proficiency in English.

BILINGUAL VOCATIONAL EDUCATION

According to H.R. 2682, bilingual vocational training programs for out-of-school youth and adults would be eligibe to compete for funding. Further, funding available through the Vocational Educational Act would be eliminated.

Vocational educational programs should supplement the benefits and services available under bilingual education programs which should address students in the K-12 category. Vocational education programs should be maintained separately to serve out-of-school youth and adults. The competition created would defeat the goals of the law.

CONCLUSION

H.R. 2682 is a missed opportunity to vastly improve access to education for a large and growing constituency of students with limited or no proficiency in English.

STATEMENT OF LINDA TARR-WHELAN, DIRECTOR OF GOVERNMENT RELATIONS, NATIONAL EDUCATION ASSOCIATION

Ms. TARR-WHELAN. Thank you, Mr. Chairman. I am sorry I was so late but I participated in another hearing on the House side this morning.

I am Linda Tarr-Whelan, the Director of Government Relations for the National Education Association, which represents approximately 1.7 million education personnel in the United States and the overseas dependent schools.

Mr. CORRADA. Excuse me. At this time I have to attend a hearing of the Rules Committee on another very important matter. So at

this time I will ask our colleague, Mr. Kildee, to chair these hearings.

Thank you, Mr. Kildee.

Mr. KILDEE. Ms. Tarr-Whelan, you may continue with your statement.

Ms. TARR-WHELAN. Thank you, Mr. Kildee.

The NEA's support for equal educational opportunity for children who do not speak English, who have limited proficiency in the language is part of the historical foundation for the Bilingual Education Act of 1968. NEA was instrumental in the passage of this law and is firmly committed to its successful implementation and continuation.

The Association has had a policy position favoring bilingual education since 1968 and was involved in efforts to provide it before then. The current resolution, amended in 1981 to include English as a second language, is included in our testimony today.

Our major comments and specific recommendations about the Bilingual Education Improvement Act of 1983 are specifically five: The funding; the role of teachers; the eligibility requirements; the question of measurable standards; and bilingual vocational education.

First, with regard to funding. We believe that inadequate funding will ultimately defeat the goals of the Bilingual Education Act. The rhetoric and niceties of language will have no meaning for millions of non- or limited-English proficient children who are deprived of equal educational opportunity through the lack of meaningful and effective programs and services.

Appropriations for this program have decreased from a peak of $167.9 million in fiscal year 1980 to a current budget request of the administration of $92 million, corrected by the Congress in its wisdom. Yet only 206,000 students are now receiving the benefits of the program, which ought to serve an estimated non-English speaking population of from 1 to 3.6 million youngsters.

Mr. Chairman, if we were to maintain services at the fiscal year 1980 level, and that would be correcting for inflation since that period of time, $258.8 million would be needed. But we find in this particular proposal an authorization level of $95 million suggested with such sums as necessary for future years.

We find that that is deficient by approximately $165 million in order to continue the kind of activity this country was engaged in at fiscal year 1980 levels.

The preamble to H.R. 2682 calls for "focusing the program on building the capacity of local educational agencies to carry out programs of bilingual education." Clearly, State or local fiscal capacity will end up dictating the very existence of these programs, should the funding continue on a downward trend.

We note that 2682 limits eligibility for funding to school districts for 5 years, and I was pleased to hear discussion before I began my testimony that there is concern about this on this committee as well. This provision is too restrictive and ignores the very real fact that the community may experience successive waves of non-English proficient newcomers with very different language needs. Funding should be predictable and stable over a long period of time in order to assure that the program can work effectively.

Second, I would like to speak about the role of teachers and our testimony includes a recent article from The New York Times by Fred Hechinger called "A Humane Look at Bilingual Schooling." He talks in that article about the significant role that teachers play and the serious shortage which exists of teachers of bilingual education.

The Department of Education has recently reported that 56,000 such teachers would be needed but there are fewer than 2,000 teachers currently in educational programs. The administration proposals seriously threaten the already limited number of programs designed to prepare teachers to work with linguistically minority students. At current funding levels, the most optimistic projections in meeting the teacher shortage would have us well into the 21st century.

We believe that any efforts to improve upon the education of language minority students must consider the successes of current educational approaches which concentrate on building English skills, focus on a child's language skills, and assure that the child does not fall behind in school while learning English. Most important, future funding priorities should concentrate on building the capacity of our Nation's schools to address the needs of addressing the increasing language minority student population by placing emphasis on the preparation of those teachers who are to work in bilingual and ESL education.

Finally, Federal programs to meet the special needs of language minority students should include adequate funds specifically earmarked for teacher training.

We next turn to eligibility in our testimony. Current administration efforts to target students will do great damage to bilingual education programs by introducing vague and confusing criteria for identifying those students who should participate in the program.

By limiting bilingual education programs only to those students whose usual language is other than English, the administration is effectively excluding Native Alaskan and American Indian students from receiving the help which addresses their particular language needs.

The dropout rates continue to be the highest among language minority students, especially among Hispanics where the rate of high school completion is approximately 55 percent. Labor Department statistics show that 30 to 40 percent of the growth in the labor market from now to the year 2,000 will be from this same Hispanic population.

We believe the problem requires more, not less, Federal support to school districts already in serious financial trouble. Where it has been properly implemented with correct staffing and accurately diagnosed and programed students, bilingual education combined with ESL approaches has been found to help those students significantly. Dropout rates and truancy rates decrease and students learn enough English to quickly merge into the mainstream of our Nation's schools.

Standards regarding native language instruction. The proposed amendments allow the Department of Education to fund, quote,

Whatever educational approach a school district believes warranted so long as that approach is designed to meet the special needs of the population and can be justified as appropriate by the school district, unquote.

The legislation does not talk about objective or measurable standards to help the Department determine if a particular approach is appropriate or sound. In fact, it requires the State agencies to participate in the program review and evaluation process also, without any objective or measurable standards.

Linguists and psychologists agree that language is central to learning and important to a child's identity. Commonsense indicates and experience repeatedly demonstrates that children succeed in school who feel welcome, who can understand what is being said. This was the spirit of the Supreme Court decision in Lau, 1974, when it required school districts to provide, quote, "meaningful educational experiences," unquote.

The administration is, in effect, inviting school districts to revert to teaching only in English using the "sink or swim" method, an approach which has not proved successful.

NEA does not oppose the granting of flexibility to LEA's to develop, using available community as well as fiscal resources, the type of bilingual education program which would most effectively meet its needs at a given time.

However, we will resist strongly through the Congress, the courts and the regulatory process, any attempt by the Federal Government to permit or encourage LEA's to back off from their obligation under the laws of this country to provide appropriate and meaningful education for students who lack sufficient proficiency in English.

I would like to state NEA's position on bilingual vocational education. According to H.R. 2682, bilingual vocational training programs for out-of-school youth and adults would be eligible to compete for funding. Further, funding available through the Vocational Educational Act would be eliminated.

Vocational education programs should supplement the benefits and services available under bilingual education programs which should address students in the K-12 category. Vocational education programs should be eliminated to serve out-of-school youth and adults. The competition created would defeat the goals of the law.

In conclusion, H.R. 2682 is an opportunity to vastly improve access to education for a large and growing constituency of students with limited or no proficiency in English.

We urge prompt action on the bill with regard to the comments of these witnesses and others that the committee has received.

Thank you, Mr. Chairman.

Mr. KILDEE. Thank you, Ms. Tarr-Whelan.

You conclude your written statement by noting that H.R. 2682 is, quote, "an opportunity to vastly improve access to education for limited English proficient students." Do you think that H.R. 2682 has taken advantage of the opportunity to improve the current bilingual education law and will H.R. 2682 improve the current Bilingual Education Act?

Ms. TARR-WHELAN. Well, Mr. Kildee, we would have to say in its current form we don't really believe that it takes advantage of this opportunity. In fact, the specific kinds of problems that we raise in

our testimony we find diminish the Federal Government's commitment to bilingual education, particularly this question of what criteria would be used by school districts.

We are in favor of flexibility, but we are not in favor of providing Federal funds without the bilingual education being provided. We find that that's an opportunity in this bill when we talk about flexibility that is not met with the criteria that would see that the programs actually are well done.

We also find that the 5-year question on the capacity of local school districts really begs the question. We have no way, sitting here, to know what kinds of needs school districts will have in the future and exactly how the immigration patterns will happen and so forth so that 5-year cap on that we find is overly restrictive.

We find, again—and I mentioned consistently in the testimony—that there is wonderful rhetoric here about improving bilingual education and yet we find the authorization level of the bill cut further.

Mr. KILDEE. What would you see then as an adequate funding level for bilingual education?

Ms. TARR-WHELAN. What we did in order to determine the adequate funding level is to take the program level that was in existence in fiscal year 1980 and to apply to it the CBO figures for inflation. And if we were to apply those figures, we would say that we require $258 million in order to fund the program at the same level that existed in 1980.

We have had an increase in our minority population from 1980 to now and so we look at this kind of investment by the Federal Government in assisting these students and assisting the local school districts to be a minimum rather than a maximum.

Mr. KILDEE. Why do you think, as you say in your statement, "The academic performance of these students improves greatly when these students are allowed to use their native language as they are learning"?

Ms. TARR-WHELAN. Yes.

Mr. KILDEE. Do you have some corroboration for that?

Ms. TARR-WHELAN. There is a considerable amount of research and we note a number of studies in our testimony, just in passing, which we would be glad to share with this committee, if it would like to have them.

In reviewing that basic research, what we have found is that we know some very important things about the students using their native language. At the very least, negative performance is reversed. Also the students tend to perform as well or better than their English-speaking peers after they have participated in such a program. We certainly know from the research that in order to succeed, the teachers must be adequately prepared and given the incentive and support to work in bilingual and ESL programs.

We also know that the school districts themselves need technical assistance in order to have programs which will succeed so the students can do well, both in this transitional period and ultimately in the schools themselves. We find that the research supports our contention that the extent and quality of teacher participation in the planning and implementation of such projects is important.

Mr. KILDEE. If you could supply some of that background material for the committee, we would appreciate it.

Ms. TARR-WHELAN. We would be happy to.

[The background material provided by NEA follows:]

[Excerpted from: Federal Programs Supporting Educational Change, Vol. VI: Implementing and Sustaining Title VII Bilingual Projects]

(Prepared for the U.S. Office of Education, Department of Health, Education, and Welfare by Gerald Sumner, Gail Zellman)

R-1589/6-HEW, January 1977

Facilitation of project operationalization.—The first set of findings from this study [6] stressed that mutual adaptation between an educational innovation and its institutional setting is important to successful implementation and continuation. The extent of mutual adaptation over the life of a bilingual project depends largely on whether the initial project design incorporated strategies to facilitate that adaptation. In particular, provisions for ongoing planning, staff development, and support from nonparticipant staff are important. We found few projects where the original plan gave more than pro forma attention to these issues, although some projects moved to correct the oversights after project implementation had begun.

Ongoing planning.—Ongoing planning was found in Rand's earlier work to be most effective when it involved staff at all levels of project operation. In is also essential that planning be on-line; that is, it must be structured to provide rapid response to problems as they occur.

The conditions that make such involvement meaningful can be subtle. The management team of one project boasted that teachers participated fully in planning, but at least some of the teachers stated that their participation was ineffective, because they felt inhibited by the subordinate/supervisor relationship between teachers and project management.

However, the absence of acknowledged planning leadership can cause planning to backfire (at least from the standpoint of project management). One project formed a joint steering committee of district staff and community representatives; the two groups were poles apart on key issues, and frequent infighting precluded effective functioning as a planning body. The district finally stepped into the leadership vacuum; the superintendent dissolved the steering committee, then allowed a year to elapse before establishing a restructured group with more compatible members.

Staff development.—The main problem with staff development in many educational programs is that none is provided. Title VII projects have been an exception, probably because Title VII requires staff development to be an explicit component of the proposal; the 1974 amendments to Title VII go so far as to require that a special percentage of project funding be applied to this purpose. However, we have observed wide variability in the *quality* of staff development.

A common complaint with respect to consultants who provide in-service training, for example, was that, irrespective of their intellectual qualifications, few had had practical experience in bilingual classrooms; their training tended to be less problem-centered and more pedantic. One project developed its own problem-centered approach to in-service training in which project classrooms alternated in providing demonstrations in handling various problems and new techniques to other teachers.

Most of the projects we visited had carefully instituted incentives for participation in training sessions; the staff generally felt that incentives were important because training required more time than the regular school staff could commit.[7] Some projects arranged for participants to receive university credit for attending in-service sessions. Other projects arranged for teachers and aides to attend regular university classes. Training incentives appeared to be paying off at the individual project level. At the time of our site visits, there were many cases where aides had received teacher certification or were making rapid progress in that direction.

Development of nonparticipant staff support.—Billingual projects are sometimes viewed as an occupational threat by monolingual teachers. This makes mobilization of their support especially difficult. Few of the projects in our fieldwork sample ex-

[6] Berman and McLaughlin, Vol. IV.

[7] The results of earlier work indicated that incentives to participate in training in the form of part of full pay were unrelated to the success of project implementation (see Berman and Pauly).

plicitly addressed this problem. One that did had some success by being very candid at the outset about the occupational implications of the project. The staff was informed that as the project advanced on grade level per year monolingual teachers in the affected grades would be transferred to other schools. After an initial near revolt, the nonproject staff became generally supportive.

A second project that was less sensitive to the need for nonparticipant support designed a pullout project to serve schools having small proportions of target students. The project did not provide an initial comprehensive orientation to the school staffs, but simply informed principals and teachers that certain students were to be pulled out of their classrooms at certain times for bilingual instruction. Three years after the program started, project/school interaction had not advanced significantly beyond this level, and teachers were still complaining that the bilingual projects, as well as other pullout programs, was frustrating their efforts to provide students with coordinated programs of instruction.

Excerpted from: Federal Programs Supporting Educational Change, Vol. IV: The Findings in Review

(Prepared for the U.S. Office of Education, Department of Health, Education, and Welfare by Paul Berman and, Milbrey Wallin McLaughlin)

R-1589/4-HEW April 1975

Implementation strategy.—A project's implementation strategy results from many choices about how to implement its goals and educational treatment. Decisions about the type and amount of planning, the location of the project, and about who should participate (and to what extent they should participate) are examples of such choices, and define in effect how an educational treatment is put into practice. Implementation strategies are distinguishable from project treatment. The educational method chosen for a project (i.e., diagnostic/prescriptive reading techniques or classroom organization is different from the strategy for implementing that method. For example, no two reading projects employ quite the same process or strategy for achieving their almost identical objectives.

Data from the survey and the fieldwork clearly indicate that (after controlling for variations in institutional settings, in federal programs, in educational methods, and in project resources) the implementation strategies selected to carry out a project vitally influence the innovative process and project outcomes.[9]

In particular, the strategies that significantly promoted teacher change included staff training, frequent and regular meetings, and local material development. The absence of any one of the above elements was likely to reduce the perceived success and the amount of teacher change on projects. The lack of teacher participation in day-to-day implementation decisions also reduced perceived success.

Our fieldwork suggests that each project employed its own combination of strategic choices that defined in effect its particular *implementation strategy.* Thus, it is more meaningful to discuss how—and why—the various individual strategic choices interact with each other to form a "successful" implementation strategy. We believe that a successful implementation strategy is one that promotes mutual adaptation. By doing so, it is the most likely to produce significant and persistent teacher change and holds the best prospects for the long-run achievement of project goals.

We identified the following elements to be the main components of an implementation strategy that promotes mutual adaptation.

Adaptive planning.—Projects varied considerably in the amount of planning they did, and it would appear that in their first year the more successful projects avoided the extremes of *almost no* planning and of *almost all* planning. But otherwise, the *amount* of planning was not significantly related to project outcomes. Indeed, it appears that the amount of planning seemed less important than whether the quality of planning matched the needs of the project and its participants.

Although the resources spent on planning had little effect on project outcomes, the nature of the planning process had a major effect. Planning activities that were flexible, adaptive, and congruent with the nature of the project were more likely to result in well-implemented innovations. By "flexible" and "adaptive" planning, we mean planning that established channels of communication, set forth initial goals and objectives with the assistance of a representative group of prospective project participants, and maintained a continuing process of planning. Frequent and regular staff meetings contributed significantly to project success because they made

[9] See Vol.II, Sec. IV, and Vol. III. Sec. III.

planning a continuous process. These meetings provided a forum for reassessing project goals and activities, monitoring project achievements and problems, and modifying practices in light of institutional and project demands. Planning, in this instance, had a firm base in project reality, so that issues could be identified and solutions determined before problems become crises. Meetings also strengthened staff morale, established a sense of project cohesiveness, and broke down the traditional isolation of the classroom teacher.

Staff training keyed to the local setting.—Projects also differed greatly in the amount, timing, and type of training for project staff. Training was significantly related to project outcomes only when it was tied to the specifics of project operation and to the practical day-to-day problems of the project participants. For example, we saw that the effectiveness of training was conditioned by the training format and by who did the training. Teachers strongly preferred very concrete "how-to-do-it" workshops given by local personnel (as opposed to a more general lecture, inspirational format). The projects that were implemented most smoothly had either a project director or district resource personnel whose understanding and experience (both in project methods and in the local setting) enabled them to make specific suggestions to help teachers implement the project. Teachers said that outside technical assistants performing a similar consulting role were ineffective and disappointing.[10]

Mr. KILDEE. Thank you very much.

How do you recruit, Mr. Martin, personnel for management trainee programs or for executive level training programs for your bank? Is bilingual capability among your recruitment criteria?

Mr. MARTIN. If a potential or a prospect, a potential recruit or a prospect out of college, and of course, at the level you are talking about of recruiting, we, in nearly every instance, require a college degree, at that level if there is bilingual capability, it gives that particular individual certainly a leg up on his competition. There's no question about that.

Mr. KILDEE. It's definitely then a plus for that candidate?

Mr. MARTIN. I think it definitely is now and, of course, that depends on the business. It would be a plus definitely in banking in the Southwest. I think in other parts of the country depending on the kind of industry you are talking about it would be a plus and in some cases it would not be regarded as such.

Mr. KILDEE. How much business do the banking companies in your State do with the Latin American countries?

Mr. MARTIN. Oh, a very considerable amount all across the Southwest. If you have been reading any of the problems that the banking industry is concerned with right now on their loans to South America and Mexico, it would give you some idea of the level of participation we have in those countries' businesses—hundreds of millions of dollars.

Mr. KILDEE. And that's a growing thing right now.

Mr. MARTIN. Yes, and I might add, I think a lot of the press coverage, as an example of the participation that national banks have in lending funds to Mexico, as an example, that those funds are not nearly in the jeopardy that has been implied in some press stories. The natural resource in that country is such that any banker that's informed knows that they are very well-secured loans.

Mr. KILDEE. I noted a report in the Washington Post this morning that the Mexican credit problem has been alleviated a good

[10] One strategy that was not significantly related to outcomes was extra pay given as an incentive for teacher training. Our fieldwork observations suggest that money and other tangible rewards were not effective in inducing teachers to acquire new skills if their own professional interests or concerns did not lead them to see such new learning as important.

deal in the last few months anyway and that the banking ties are——

Mr. MARTIN. Strengthening——

Mr. KILDEE [continuing]. Strengthening because of that.

Mr. MARTIN. Yes, that's correct.

Mr. KILDEE. Mr. Chandler.

Mr. CHANDLER. Thank you, Mr. Chairman. I would like to address my questions to Ms. Tarr-Whelan.

Representing the State of Washington and having had the experience of serving in the legislature there, I know that we face the problem of having a State as diverse as—ranging in size of school districts from Seattle, which is the entire city, to very, very small remote, rural school districts. The unfortunate thing for us was that the non-English-speaking students weren't very cooperative; they didn't just concentrate in Seattle or in the urban areas, they were all over the place. You might have a handful in a very small school district and you might only have a handful of one particular non-English-speaking group in Seattle itself.

I guess the problem that I always had as a State decisionmaker and that I found was a problem for those who dealt with this at the local level in the very small school districts was a lack of flexibility created real difficulties for them in trying to deal with it.

Aren't we, in a sense, precluding or coming close to precluding, especially those small rural districts from use of title VII funds if we require one certain method of teaching? Wouldn't it be better to provide a little flexibility or certainly more flexibility than they currently have?

Ms. TARR-WHELAN. Mr. Chandler, I did testify in favor of the flexibility of bilingual and English as a second language, but I should also caution the committee on unrealistic expectations. The bilingual funds that are currently available and those authorized under this particular proposal won't go very far even in those communities that have concentrations of youngsters sufficient to have bilingual programs as I know exist in Seattle, for example, that if we have expectation that with a much lower authorization level and the flexibility for additional programs, that we are somehow magically going to be able to provide good education for a wider variety of youngsters. I think that is an unrealistic expectation, but I did testify in favor of the flexibility.

Mr. CHANDLER. All right. I don't think we have much of a disagreement then on that point, because, again, my experience indicates that you do tend to look elsewhere for a program when you have limited resources like that.

The chairman asked you about the research on page 7 and you pointed out that, "Research in the area of academic achievement clearly signals the importance of using the child's primary language as part of the instructional program."

My understanding is that Alan Ginsberg from the Department of Education who is a career and a noted researcher has indicated he feels that the research results are, at best, mixed, that he has come to no conclusion, as you apparently have, and I would like to ask you and I would like to suggest to the committee that perhaps it would be useful to have some of these contrasting views from re-

searchers presented here in committee for the members to consider.

Could you comment on that, please?

Ms. TARR-WHELAN. Well, I believe the State boards of education when they did their testimony recently before this same committee noted the wide variety of researchers who have worked on this particular problem and the wide variety of results.

The studies which I have quoted here have some particular validity because they are longer term, longitudinal studies and many of the other research studies have been done over a very short timeframe. It is our assessment of these studies that they do, in fact, show that work in the child's primary language as well as English, and if you recall, I talked about that as bilingual and ESL, is important and I think that if this commitee is talking about that kind of flexibility, it, too, is of a mind that there has to be some of the instruction in the child's native language.

Mr. CHANDLER. I don't think there is any question about that, but I also would dispute your point that this bill proposes "a 'sink or swim' immersion method." I don't think that is the case at all. That's certainly not my view.

Ms. TARR-WHELAN. Well, I certainly hope that there will be some criteria or standards or measurable objectives because I would hate to see that result out of this particular activity to improve bilingual education.

Mr. CHANDLER. Thank you, Mr. Chairman.

Mr. KILDEE. Thank you, Mr. Chandler. I think you raised a very interesting point there, that I have been trying to develop—the use of native language.

Charles Harrington of Teachers' College at Columbia would tend to support the research findings that you have mentioned here this morning. I think that research would be very helpful to the committee, either as a part of the record or of the file on this issue, depending upon the length of it. Perhaps, in conjunction with Mr. Chandler's statement, we could delve into that further.

If you could supply that, we would very much appreciate it.

[Information follows:]

EVALUATIONS OF BILINGUAL PROGRAMS

(Excerpted from a paper prepared for the California State Department of Education Compendium on Bilingual-Biculturation Education, entitled "The Role of Primary Language Development in Promoting Educational Success for Language Minority Student's by Jim Cummins)

Although there is a widespread perception that bilingual education yet to prove its effectiveness (see e.g. Trombley, 1980), the findings of the well-controlled research that is available are strongly supportive of the basic principle underlying bilingual education, i.e. the CUP (Common Underlying Principle) model of bilingual proficiency. For example, Troike reviewed 12 evaluations and several research studies in which bilingual instruction was found to be more effective than English—only instruction in promoting English academic skills. Two of these evauations are outlined below as well as several other evaluations in the United States and elsewhere which clearly refute the SUP (Separate Underlying Principle) model.

Edmonton Ukrainian-English bilingual program.—This program has existed in eight Edmonton elementary schools since 1972 and is financially supported by the Alberta Government. In 1978–79 there were 697 students enrolled between K and 5. Ukrainian is used as a medium of instruction for 50 percent of the regular school day throughout elementary school. Only about 15 percent of the students are fluent in Ukrainian on entry to the program. A study carried out with grade 1 and 3 stu-

dents (Cummins & Mulcahy, 1978) fond that students who were relatively fluent in Ukrainian as a result of parents' using it consistently in the home were significantly better able to detect ambiquities in English sentence structure than either equivalent monolingual English-speaking children not in the program or children in the program who came from predominantly English-speaking homes. The evaluations of the program have shown no detrimental effects on the development of children's English or other academic skills. In fact, by the end of grade 5 children in the program had pulled ahead of the comparison group in English reading comprehension skills (Edmonton Public School Board, 1978).

Rock Point Navajo study.—Before the bilingual programs was started in 1971, children were 2 years behind U.S. norms in English reading by the end of grade 6 despite intensive teaching of English as a second language. the bilingual program used Navajo as the major initial medium of instruction and continued its use throughout elementary school. English reading instruction was delayed until Navajo reading skills were well-established (mid-grade 2). By the end of grade 6 children in the bilingual program were performing slightly above U.S. grade norms in English reading despite considerably less exposure to English than previously (Ronier & Farella, 1976).

Sante Fe bilingual program.—In the schools involved in this program Spanish was used for between 30 and 50 percent of the school day throughout elementary school. It was found that children enrolled in the bilingual program consistently performed significantly better than the control group (in an English-only program) in both reading and mathematics. Children enrolled continuously in the bilingual program from grade 2 caught up with U.S. in English reading by grade 5 and stayed close in grade 6. In Math this group surpassed the national average in grade 4 and maintained an equal or superior status through grade 6 (Leyba, 1978).

Legaretta study: Direct ESL—bilingual comparison.—A study carried out by Dorothy Legaretta (1979) in California compared the effectivness of three types of bilingual treatments with two types of English-only treatments in facilitating the development of English communicative competence in Spanish-background kindergarten children. The three bilingual treatments were found to be significantly superior to the two English-only treatments in developing English language skills. The most effective programs was one with balanced bilingual usage (50 percent English, 50 percent Spanish).

Nestor School bilingual program evaluation.—The Nestor program in San Diego involved both Spanish- and English-background students and used a team teaching approach in which instruction in the early grades was primarily through the child's L1. Gradually the proportion on instruction in L2 was increased until by grade 4 approximately 50 percent of instruction was through each language. The evaluation of the program (Evaluation Associates, 1978) showed that Spanish-background students gained an additional 0.36 of a year's growth in English reading for each successive year they spent in the bilingual program. Spanish-background students who had spent 5 years of more in the bilingual program at the elementary level tended to perform slightly better in English reading than the school average at the junior high school level despite the fact that at least 37 percent of the comparison group were originally native English speakers. In mathematics, the grade 6 Spanish-background children in the Nestor program were over a year ahead of the Spanish speakers in the comparison district and only 1 month behind grade level. The English-background participants in the Nestor bilingual program performed at a higher level than the comparison groups on a large majority of measures; however, this may be due to a selection bias.

The Colorado bilingual programs evaluation.—Egan and Goldsmith (1981) and Egan (1981) report on the "overwhelming success" of bilingual programs in Colorado for both langauge minority and "Anglo" students. Over 90 percent of the 39 programs for which data were available reported that "limited-English proficient" students showed a rate of academic progress at least as good as that normally expected for all students. More surprising, however, was the fact that 50 percent of the programs showed growth rates in English academic skills for language minority students well beyond the normal expected growth rates for all students. These results are especially significant in view of previous research in Colorado (reviewed in Egan & Goldsmith, 1981) showing that Hispanic students tended to fall progressively further behind grade norms during the elementary school years.

Sodertalje program for Finnish immigrant children in Sweden.—The findings of this evaluation are very similar to those of the Rock Point Navajo evaluation. Finnish children in Swedish-only programs were found to perform worse in Finnish than 90 percent of equivalent socio-economic status Finnish children in Finland and worse in Swedish than about 90 percent of Swedish children (Skutnabb-Kangras &

Toukomas, 1976). The Sodertalje program, however, used Finnish as the major initial language of instruction and continued its use throughout elementary school. Swedish became the major language of instruction from grade 3. By grade 6, children's performance in this program in both Finnish and Swedish was almost at the same level as that of Swedish-speaking children in Finland, which was a considerable improvement in both languages compared to their performance in Swedish only programs (Llanson, 1979).

Manitoba Francophone study.—A large-scale study carried out by Ilebert et al. (1976) among grades 3, 6, and 9 minority francophone students in Maritoba who were receiving varying amounts of instruction through the medium of French found that the amount of French-medium instruction showed no relationship to children's achievement in English. In other words, francophone students receiving 80 percent instruction in French and 20 percent instruction in English did just as well in English as students receiving 80 percent instruction in English and 20 percent in French. However, amount of instruction in French was positively related to achievement in French. In other words, students' French benefitted at no cost to their progress in English.

Ms. TARR-WHELAN. We would be happy to.

Mr. KILDEE. The bill would increase the role and the funding of the State educational agencies in bilingual education. Would you care to comment on that, Linda?

Ms. TARR-WHELAN. Yes, to say the least, we are leery of that. The State role seems to change considerably under this proposal from a technical assistance role to a program evaluation and program review role. We don't know of our own research the capability of the various State departments to participate in that role. We certainly hope that this committee has heard evidence from the Department of Education or other sources as to the capability of the States to take on that responsibility.

We are also concerned always when we see the movement of funds from programs for students to bureaucracies and so I think this section of the bill requires some very careful review.

Mr. KILDEE. Thank you.

Ms. Orta, I would like to go back a bit. Would you expand on your testimony regarding title VII and the school districts' flexible use of native language instruction?

Ms. ORTA. Yes, the current title VII gives a definition for bilingual education, which I think is a strong definition which I think the current bill will dilute because we are trying to solve everything within one definition, and that's not possible.

With the current definition, what we have been able to do is say, "Native language is going to be used and the program will be designed according to the student." If the student has just recently arrived, speaks absolutely no English at all, there is a certain portion of time devoted to native language instruction, content area in the native language and English as a second language instruction. As that child builds in terms of his English language skills, more and more content area instruction is given in English.

So it gives that school district a flexibility. Perhaps a student has been here 1 or 2 years and has never been in a program before. Perhaps the use of native language would not be as great as the student who has just arrived. So the current title VII legislation gives you tremendous flexibility with the use of native language and you just can't make one definition cover all of your possibilities.

What I recommended before is that we do not dilute this definition and the intent of this legislation. In order to meet the needs of

school districts such as Mr. Chandler has described, we should have separate legislation and funding to meet those needs with standards and goals because I am really opposed to giving money just because kids are there. I want the school districts to meet their commitment to these children and design programs that will help.

Mr. KILDEE. Thank you very much.

I mentioned Charles Harrington's study at Columbia. Are you aware of any additional research which supports the native language instruction?

Ms. ORTA. James Cumming's research, but I can list a number of other research studies which I would be happy to share with this committee. I just was handed a few minutes ago something which I think is even better than all of the research. It's some statistics from a school in Brooklyn in P.S. 314 and there are some parents here from that school.

In 1972, that program began with four classes, and in 1982, they had 21 bilingual classes. They started out with title VII funding to support their program and in 1979, the title VII program was ceased and they continued to develop their program with their tax levy money, and this last year's graduating class, children who had gone from kindergarten through the sixth program, 80 percent of those children were reading on a grade level.

I am looking at some of the statistics. In class 51, for example, we have Robert Aguilar (phonetic) who, in 1978, took a language proficiency test and scored at the first percentile, the very, very bottom. In his fifth grade class at the end of 1983, he was reading 5.5. That child went through a bilingual education program.

So you saw two things here in this school. One, that there was capacity building, that once title VII funds were removed, the school continued to develop their program, and, two, that with a strong native language component, that student not only maintained his language, is on grade level in English, and able to compete with any other child in the fifth grade. I think that's an important kind of research.

Mr. KILDEE. Could you supply a copy of that for the record?

Ms. ORTA. Yes.

[The information follows:]

27-315 O - 84 - 9

BOARD OF EDUCATION OF THE CITY OF NEW YORK

P. S. 314 | Brooklyn 11220 | 330 59th Street | 492-0087
SCHOOL | BOROUGH ZONE | ADDRESS | TELEPHONE

OFFICE OF THE PRINCIPAL

June 27, 1983

Our Bilingual Program began in September, 1971. Our Title VII funding began in September, 1972. Two cycles - Ended in 1979.

No. of Teachers = 21 Bilingual Classrooms
4 Pull-Out

Began in 1971 with 4 teachers.

All other teachers paid by tax levy.

Service 600 children in 21 classes.

120 enter 1st grade in 1971 - Spanish Dominant
in 1977 - leave with (100 children)
80% of children on English reading level

First graduating class in 1983 - 100 children graduated

75% on English Reading Level and Spanish Reading Level 5

Names	Date	English Lab.	1983
CLASS 6-2			
1. Fred Atiles	9/78	1%	4.6
2. Irvieg Bracero	9/80	10%	4.5
3. Hector Figueroa	9/78	7%	5.4
CLASS 5-1			
1. Robert Aguilar	9/78	1%	5.5
2. Angel Gonzales	9/78	2%	5.5
3. Joel Del Rios	9/78	21%	5.3
4. Lester Ramon	9/78	16%	6.1
5. Mike Gonzalez	9/78	16%	6.2
6. Ramon Lebron	9/80	2%	5.9
7. Robin Montalvo	9/78	12%	6.1
8. Erick Peralta	9/79	14%	5.0
9. Racme Quinones	9/78	20%	5.0
10. Luis Soto	9/78	20%	7.1

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OFFICE OF THE PRINCIPAL

June 27, 1983

Bilingual Program (continued)

CLASS 5-1

Names	Date	English Lab	1983
11. Agustin Valerio	3/79	1%	5.2
12. Henry Tanez	9/78	0%	4.3
13. Joniff Aleman	9/78	12%	5.2
14. Melissa Alvarez	9/78	1%	5.3
15. Maritza Amorosa	9/78	0%	5.5
16. Rocio Chavez	9/78	13%	6.1
17. Madeline Corujo	9/78	1%	5.9
18. Glenda Cotto	4/82	Ex.L.	4.2
19. Maria Garcia	9/79	1%	5.0
20. Beatrice Ponce	9/78	16%	5.1
21. Lisandra Rivera	9/78	3%	5.0
22. Janette Robles	3/79	9%	4.6
23. Jacinda Santiago	9/78	21%	7.7
24. Lillian Santiago	9/78	20%	4.8
25. Ramona Urena	9/79	H.O. English Class	4.6
26. Carmen Vega	9/78	3%	5.1
27. Marilyn Vales		21%	4.4

Mr. KILDEE. I want to thank the witnesses. I was at an Interior Committee meeting earlier, in which we were discussing a much different issue, but I wanted to get over here because bilingual education is an area of deep interest for me.

When I was still in the Michigan State Legislature, I helped put through the first bilingual education bill and I am convinced that was a good thing. The bill was not written on Mount Sinai. We have had to go back and refine it with the help of those who have been involved in the program, and people in business who can benefit from the program, and students who have been the consumers of that program. So we constantly try to refine our approach to this and I think the three of you this morning have been extremely helpful in helping this committee make its determinations.

Thank you very much.

The subcommittee stands adjourned.

[Whereupon at 11:05 a.m., on June 28, 1983, the subcommittee was adjourned.]

[Additional information follows:]

PREPARED STATEMENT OF THE FLINT, MICH., COMMUNITY SCHOOLS

On April 8, 1983, Education Secretary Terrell Bell transmitted a bill to the Congress that would amend the Bilingual Education Act (contained in title VII of the Elementary and Secondary Education Act of 1965).

The Flint, Mich., Community Schools have some concerns regarding some of the proposed amendments, as we feel they could decrease the educational opportunities for students in Flint's bilingual program.

For example, section 3 (e) of the proposed measure would limit Federal basic grant assistance to local educational agencies to a maximum of 5 fiscal years, beginning October 1, 1983.

The proposed purpose of the 5-year limit would be to build the capacity of school districts to carry out programs for children of limited English proficiency.

In theory, this is a laudable goal. However, in practice, the 5-year maximum limit could work to the detriment of students of limited English proficiency.

The development of bilingual programs to serve all LEP student needs is a step by step process. A given project may only address a specific grade level, language group, or specialized area such as adult education or staff training. New language groups may require new program initiatives within a different ethnic community.

Federal funds—which are already becoming more scarce— are needed to continue serving these students. Five years is an artificial time frame, decreed by Federal funding levels and not by student need.

School districts are struggling to stretch finances to meet the needs of students despite decreasing Federal assistance. The National Commission on Education's recent highly publicized report highlights the need for adequate funding for education. Yet, local districts are continually asked to do more with less. For example, in fiscal 1983, bilingual education was funded at $138 million. Secretary Bell's recommendation, included in his proposed bill, is $95 million for fiscal 1984.

Local districts cannot on the one hand, be asked to do more, and on the other hand, be given less with which to do it.

We would hope that the Secretary's recommendations as they pertain to our concerns will not be adopted.

Thank you for including our testimony in the record.

UNIVERSITY OF TEXAS AT AUSTIN,
BILINGUAL SPECIAL EDUCATION PROGRAM,
Austin, Tex., June 17 1983.

Hon. CARL PERKINS,
House Subcommittee on Elementary, Secondary, and Vocational Education, Rayburn House Office Building, Washington, D.C.

DEAR MR. PERKINS. I am writing to express my strong opposition to H.R. 2682. I have carefully analyzed the potential impact the administration's proposal would have on children who do not speak English as their native language. The proposed legislation, if passed, will negate evaluation and research findings that indeed dem-

onstrate that Title VII programs that provide instruction in the native language do assist the child to achieve a compentency in English and at the same time, to aquire the subject matter skills.

I have for the last ten years been involved in the testing of linguistically and culturally different children and have evaluated many educational programs aimed at these children. It is my professional opinion that H.R. 2682 would critically would critically change the fundamental purpose of the Bilingual Education Act. Please consider that your support of H.R. 2572 will severely damage the educational opportunities of language minority children.

Thank you for allowing me to express my opinions concerning the welfare of language minority children throughout the United States.

Sincerely,

JUAN C. GONZALEZ, *Coordinator.*

PREPARED STATEMENT OF JAMES E. ALATIS, PRESIDENT, JNCL, JOINT NATIONAL COMMITTEE FOR LANGUAGES

The Joint National Committee for Languages appreciates this opportunity to address the issue of bilingual education. JNCL represents the interests of over 200,000 professionals with expertise in all areas of the language field, including the less-commonly taught languages, the classics, interpretation and translation, English-as-a-second language [ESL], and bilingual education. While we are aware that it cannot be divorced from its civil-rights and political ramifications, we are concerned that bilingual education remain first and foremost an educational issue. It is in this context that we offer this testimony as part of a fundamental belief in language study as essential to the political, economic, and intellectual security of our Nation.

The United States is a nation whose heritage and traditions have been shaped by a multiplicity of languages and cultures. This pluralism and cultural diversity, which is so intricately interwoven within the fabric of our society, should serve as a source of great pride, as well as a valuable national resource. Bilingual education is thus vital in that it attempts to utilize, to its fullest potential, the wealth of languages and cultures inherent in our society.

Bilingual education seeks to provide all students with the opportunity to achieve competency in English and in a second language. However, in order to develop effective language programs, students must be taught at a level and with tools they understand. A 1981 issue paper entitled, "The Coordination of Bilingual Education and Foreign Language Programs" identifies four principal language groups. These categories are an important and useful means of classifying the various educational needs of our students. The four categories are: (1) Non-English proficient or limited English proficient [NEP/LEP]; (2) balanced bilinguals [BB]; (3) English dominant linguistic minority; (4) Native English monolinguals.

These categories can provide the framework for a well-defined, well-organized, all-encompassing program of bilingual education which is beneficial to all students based on a recognition of needs. We insist that it is of primary concern that the above groups learn to communicate, write, read, and understand the English language. Indeed, we consider it our moral obligation to teach people English. Of equal importance, however, is the ability of the first two groups to develop communicative skills in their native tongue, and for the latter two groups to develop competency in a second language. Our goal, for all students, is competency in English and in a second language. With reference to these categories, not all groups have the same needs, nor should they be approached in the same fashion. Bilingual programs, as traditionally defined, may not be applicable or the most beneficial way to approach some of these groups. For example, under certain demographic circumstances, the concentration of students in the first group may represent such a variety of home-language backgrounds as to prohibit the application of a "traditional" bilingual approach. Under such circumstances, students in linguistically heterogeneous classes might better be served by an intensive or semi-intensive English-as-a-second language approach. Additional research, innovation, and experimentation may produce a variety of other approaches which must be evaluated specifically for their effectiveness. The crucial variable in such experimentation are the teachers—the quality of their professional preparation and their empathy for students of different linguistic and cultural backgrounds than their own.

A report developed by the Academy for Educational development and the Edward W. Hazen Foundation, "A New Direction for Bilingual Education in the 1980's," suggests some reform of current programs to combine traditional foreign-language and transitional bilingual instruction to produce the basis for multilingual compe-

tency. We support the findings and recommendations of this report, particularly the need to move toward "an overall shift in emphasis to a language-competent society."

A frequent contention of opponents of bilingual education is the erroneous argument that it hinders English-language instruction. It must be stressed that proficiency in English is of critical significance to any effective bilingual program. A structured ESL component is absolutely necessary in all programs where NEP/LEP students are enrolled. We should also note, in passing, that English deficiencies can be found in a significant protion of the English-dominant students (Group 3 above). Functional English acquisition is necessary for all our students, and special aid should be guaranteed where necessary. It is vital that the development of sound reading, writing, communicative, and comprehension skills be the goal of any language program.

Competency in languages other than English must also be given priority. Language departments should be strengthened to reach students at various levels of proficiency. The structure could parallel that of bilingual programs, where additional aid is given to those of limited proficiency and reinforcement provided to those with greater capabilities. The fortification of language departments, as well as improvements in English instruction, are obvious needs described in almost all of the recent reports and studies on American education. For example, one of the recommendations proposed by the recent Twentieth Century Fund Task Force on Federal Elementary and Secondary Education Policy is that "every American public school student should have the opportunity to acquire proficiency in a second language." They contend that such acquisition "is absolutely essential if the United States is to be a leader among nations in the next century.

Another component to be considered in assessing bilingual education is the importance of cultural awareness. Linguistic pluralism and cultural diversity are part of the nature of our society. The heroes, leaders, tragedies, and glories of American minorities must not be slighted. We are not an isolated country, and our classrooms should reflect the richness of our population's diverse backgrounds. In this respect, bilingual education should perhaps be perceived differently. It is instruction in two languages and two cultures. Education in languages other than English also stresses the importance of knowing another culture. This cultural awareness is no less important in bilingual programs.

Another fear voiced by opponents is that bilingual programs will instigate separatist attitudes comparable to those being manifested in certain parts of Canada. According to numerous studies completed by Professor G. Richard Tucker and Wallace Lambert, the situations are much too dissimilar to produce the same type of effects. The Canadian experience is simply not applicable to the United States. Most Canadian programs are enrichment programs which use voluntary immersion to improve the instruction of French as a second language to Anglophone students. Title VII, however, is a compensatory approach directed towards language minorities with limited-English proficiency. Bilingual education, as defined here, allows children to develop pride towards their own identity as well as an appreciation of the newly-acquired language.

Quality tranining programs should be promoted to assist in the development of quality bilingual educators. Teacher education is still at the heart of any quality program. Presently there are not enough qualified bilingual or ESL instructors to achieve a minimal level of excellence in these programs. A 1980–81 report, "Teacher Language Skills Survey," completed by Inter-America Research Associates for the Department of Education found that of all teachers who use non-English languages in the classroom, four out of five did not have the necessary language skills or basic academic preparation for bilingual education instruction. This study also estimated the need for bilingual education instructors in 1984 to range between 52,000 and 56,000. It was found that only 2,000 such teachers are now graduating annually. The study, mandated in Part C of the Bilingual Education Act, discovered that of all public school teachers (K–12), one quarter have one more limited-English-proficient student in their classrooms. These data indicate the need for serious improvement and increases in teacher education for bilingual programs.

As the President's Commission on Excellence in Education noted, "excellence costs." It particularly costs in programs that require creativity, innovation and experimentation. Bilingual education is a relatively new area where we are still seeking answers and in some instances still clarifying the questions. In seeking educational quality and programs that work, we should be willing to try new approaches combining second-language and bilingual education, using resources that currently exist to their maximum, and providing opportunities for students to learn from one another. We need to identify the areas where we, as educators, are in basic agree-

ment, such as the importance of well-educated teachers, the necessity of English competence, the value of second-language skills, and the opportunity for equal access to education. Where we do not agree, we must determine why, evaluate current solutions, and look to new approaches.

An area where current bilingual programs are subject to criticism is the dearth of longitudial (i.e. long-term and continuous) and rigorous evaluation. The high profile which bilingual education receives makes such evaluations not only necessary, but also requires that the public and policymakers be continuously informed of results, progress and failures. There must always be present the goal of acquisition of English in addition to a second language for all students. However, we must be aware that this goal can be achieved in different fashions and through different approaches. We must recognize that education in general, and bilingual education in particular, is a complex and complicated undertaking. Facile solutions based on political exigencies can only make the task more difficult.

The Bilingual Education Imporvements Act of 1983 (H.R. 2682) is correct in its intent to provide program flexibility, but we see little in its actual provisions that would accomplish this. At the very least, the transitional assistance provided by the current title VII legislation is important and must be maintained. However, the amendments mandating a reduction in funding, limiting the eligibility of LEP's and merging funds for vocational education are detrimental to the original purpose of the act. That purpose is to provide language minorities the opportunity to reach their full potential and make the greatest contribution possible to American society, through the effective and efficient acquisition of functional language skills.

The principal revision to be addressed is the proposed reduction of authorized title VII funds. This reduction is untenable on a variety of grounds. It would servely limit the flexibility which the program needs to account for demographic changes and influxes of varied language minority students. With the dramatic increase of immigrants, refugees, documented and "undocumented" aliens, and foreign students in recent years, it is unrealistic to contemplate any reduction. A reduction of funds in these crucial times would create restricted perimeters and prohibit any variations. It would diminish the number of children reached, thereby decreasing the program's effectiveness. The training of quality educators would necessarily be curtailed. Perhaps most importantly, it would perpetuate ignorance of any existing deficiencies in the program, by not providing funds for thorough research into viable alternatives.

A second proposal in these amendments maintains that no restrictions may be placed on districts as to which method or approach may be used. Unfortunately, this may include programs which do not provide fundamental instruction in the native language of the child. Not only does this waste a resource, but it places a significant and unnecessary burden on the NEP/LEP student. Obviously, for children to succeed, they must comprehend what is being taught. This includes basic knowledge in math, science, history, as well as proficiency in English. We must be concerned with our students' ability to function effectively in mainstream America. English proficiency is but one key to success. In order for children to grasp the basics in education, they must be tutored on some level in the native tongue as well. Frustration at not understanding because of language shortcomings is without doubt a major contributor to the high drop-out rate of language minority students. Native language use will reinforce the student's understanding, enhance his own self-image, increase his motivation, and promote a curiosity to learn.

It is true that no single approach is appropriate for all circumstances. Ideally, a high-quality, professionally-structured ESL program should be a component of every bilingual syllabus; such a program, designed to provide intensive or semi-intensive instruction in English, would ensure rapid comprehension of the mainstream language. We all agree that the primary emphasis must be on English education. However, a child's native language must not suffer in the interim. Keith Baker, of the Department of Education, has noted, "It seems fair to conclude * * * that the use of L1 (the child's native language) to clarify English instruction when the student is puzzled (sic) should be an essential feature of educational programs for language minority children." The loss of their native language would be wasting a valuable, easily refined resource.

A third revision restricts eligibility requirements. The current legislation directs services to an estimated 3.6 million LEP students whereas the new target population covers only 1.2 million students whose "usual language is other than English." As is obvious from the categories mentioned earlier, our view is that bilingual education in the context of language learning should be expanded rather than diminished. We would urge Federal support for language learning in a variety of areas, in addition to bilingual education. The programs under title VII seem one logical

means of doing this. Consequently, as many students as possible should have access to this and other programs of this type.

The proposed limitation of Federal funding poses additional concerns. The objective is to build the resource capacity so that districts can function autonomously. Yet, not all districts will be able to support themselves and continue successfully without Federal monies, nor are all districts impacted equally and consistently. The availability of funding should be based on continual evaluations of programs to determine whether local resources are adequate to enable them to achieve and maintain self-sufficiency.

This legislation further would increase the percentage of title VII funds for State educational agencies. We certainly agree that an increase in evaluation and monitoring is necessary. We do not understand, however, how this can be accomplished by decreasing funding and increasing the responsibilities of the already underfunded, overworked SEA's and at the same time meet the needs of the students.

Finally, the bill stipulates the inclusion of bilingual vocational education into title VII. It appears to us that combining these programs would be to the detriment of both by further limiting funding and merging disparate interests. There is no technical advantage to merging title VII.

In conclusion, one of our objectives in addressing bilingual education and the concerns of this committee is to note that the concept of bilingual education should be considered in light of a variety of other alternatives. We urge support for a program or programs that actively involves English-language instruction as well as second language learning. We would agree with the National Commission's findings that "All regardless of race or class or economic status, are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost." We respectfully submit that this includes the opportunity to retain one's language and culture and to learn others. To this end, we would oppose the amendments proposed by H.R. 2682, the Bilingual Education Improvements Act of 1983.

PREPARED STATEMENT OF HON. ED TOWNS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. Chairman, I an very pleased to have the opportunity to testify at today's hearing on H.R. 2682, the Bilingual Education Improvements Act.

Before addressing the six principal components of this legislation, I believe that it is important to discuss the Federal Government's role in education. For years, this Nation debated the question of Federal aid to education. The proponents of Federal aid to education took the position that many States were actually denying educational opportunities and educational equity to certain schoolchildren, and that therefore the Federal Government should assume the role of protector of the educational and constitutional rights of all children in this regard.

In 1968, Congress applied this "protector role" to linguistic minority children. Title VII, of the Elementary and Secondary Education Act, was instituted with the express purpose of providing equal educational opportunities for these children. At that time, bilingual education was seen as the best method of increasing english language skills while providing an approprate education for limited-english proficient students. In 1974, the Supreme Court underscored the need for protecting the educational and constitutional rights of linguistic minorities. While *Lau* v. *Nichols* did not specify any specific method of instruction, the Court did find that the San Francisco Board of Education violated title VI of the Civil Rights Act of 1964 by not providing adequate language instruction for Chinese-speaking students to allow them to successfully compete with other students.

The major issue, then, is whether H.R. 2682 will protect the rights of LEP students. The six major proposals, of H.R. 2682, would significantly change the bilingual education act.

ELIMINATION OF NATIVE LANGUAGE INSTRUCTION

This proposal would allow title VII funds to be used for any type of program which claims to address the educational needs of LEP children. Historically, language-minority students in the United States have received unequal and inferior educational opportunities. Elimination of the current requirement concerning the use of a child's "native language" totally abdicates the Federal Government's responsibility to establish standards for the appropriate use of its funds.

Many opponents of "native language" instruction have argued that other elementary and secondary education programs like title I and Public Law 94-142, the handicapped education act, did not "prescribe a method of teaching". Standards do

exist, however, for these programs. Title I must be used in schoods with low-income and disadvantaged children; 94-142 programs mandate parental involvement and "mainstreaming" of handicapped children into regular classrooms. As a Federal program, title VII must also have standards. We must remember that title VII is neither a mandated or an entitlement program. Consequently, the Federal Government is well within its right to establish "native language" instruction as the cornerstone of its bilingual education program. As indicated in the following studies, this method has been supported because it is effective. "since neither quick immersion in regular classes nor english as a second language [ESL] alone has worked well with children from low-income, non-english speaking backgrounds, teaching such youngsters in their first language while they are learning english would appear to be a sensible alternative." (The Carnegie Corporation of New York, "Annual Report for the Fiscal Year Ended September 30, 1979", Alan Pifer, President.)

Successful bilingual education programs "meet two criteria. * * * They achieve language acquisition without setting the child back in his or her skill development * * *" ("Bilingual Education in the United States: A View from 1980", Charles Harrington, Teachers College, Columbia University.)

If school districts do not want to use "native language" instruction, then they do not have to apply for title VII funds. They may continue to use State and local monies for immersion and ESL programs. The Federal Government, however, should not loosen educational standards which can only result in a dimunitional or equal educational opportunity for LEP students.

"USUAL LANGUAGE" TARGETING

H.R. 2682 would establish a "funding priority" for programs serving students whose "usual" language is other than English. This proposal is pedagogically unsound since it has no relationship to whether students have limited English proficiency. This "funding priority" would virtually preclude half of the LEP student population from receiving title VII assistance. In addition, this requirement would discriminate against Indian and Native Alaskan students. Although most of these students do not "usually" speak a langauge other than English, many of these students are so limited in their English langauge capability that they cannot succeed in school without special language instruction.

This "funding priority" should be opposed because it can not be implemented in a practical and uniform manner. What language a child "usually" speaks is difficult to assess. This new criteria is not related to educational need and could thus be used to justify further reductions in title VII programs.

REDUCTION OF AUTHORIZED FUNDS—DURATION OF TITLE VII ASSISTANCE

Title VII has been chronically underfunded since its enactment in 1968. Fewer than 10 percent of the currently eligible LEP students are served by title VII funds. Lowering the authorization level from $139.9 to $94.5 million would drastically decrease the number of students currently served and place additional burdens on the financially distressed schools they attend.

Likewise, the 5-year limitation would restrict services to LEP students. This provision would clearly jeopardize the ability of many school districts to serve LEP students. Because the 5-year limitation is absolute, it ignores changes in the size if a school district's LEP population or in the number of language groups served by a school district. Just as opponents of "Native language" instruction have urged flexibility in teaching methods, there is a need for flexibility in title VII grant assistance.

GRANTS TO STATE EDUCATION AGENCIES

H.R. 2682 proposes the elimination of the current title VII SEA grant program in favor of an experiment in New Federalism involves added expenditures of limited funds for administrative as opposed to instructional services. The administration's proposal would increase the current SEA grant ceiling to 10 percent. This doubling of the cost of the SEA grant program would result in a reduction of funds to LEA's for the development of vitally needed service capacity. This proposal would change the purpose of the present SEA grant program, confuse the respective roles and authority of the Federal and State governments, and increase the program's cost.

BILINGUAL VOCATIONAL EDUCATION

Under the guise of uniformity, H.R. 2682 would incorporate bilingual vocational education programs into a new title VII program. This proposal would have the effect of reducing the overall budget for title VII. Vocational training programs would compete for funds with basic language grants. In addition, this new section cannot adequately substitute for the Vocational Education Act's comprehensive provisions concerning bilingual vocational training.

In conclusion, let me say that the political considerations surrounding the debate on bilingual education should not be swept under the rug. The presumption, that bilingual education is a new phenomena directly tied to the increase of Hispanic political participation, is erroneous. Phifer, in his 1979 carneige report, stated that "contrary to popular belief, instruction in two languages in not new in American education. Its use began in the 19th century within private schools and some public schools in communities settled by German, Scandinavian, and French immigrants. Between 1840 and 1917, schools in Cincinnati offered classes in German to pupils who understood no English, and from time to time New York City schools resorted to Yiddish, German, Italian, and Chinese to educative new waves of Foreign-born children."

This evidence clearly demonstrates that bilingual education is not a teaching method promoted by only one linguistic minority group. Rather bilingual education has been used successfully by previous groups as a tool for learning the English language. In my own congressional district, bilingual education programs exists in Haitian Creole, Indochinese languages, and Italian as well as Spanish.

Further, the claim that LEP children are receiving a special benefit, with bilingual education, that previous immigrant children did not need or receive, suggests that education teaching methods should remain stagnant. Transitional bilingual education [TBE] has helped to remedy past discrimination and neglect experienced by linguistic minority children. As an educational approach, bilingual ed has proven effective. It has successfully helped LEP students to achieve English language competency and, at the same time, to acquire the academic skills learned by other students.

"Native language" instruction currently contains flexibility criteria without any of the changes suggested in H.R. 2682. For example, Montgomery County schools give instructions in the child's native language but students are required to respond in English. District of Columbia schools use title VII funds for teacher training and their own monies for ESL and immersion programs. There is no set requirement that x amount of hours must be spent using "Native language" instruction. School districts have the flexibility to use title VII funds in very creative ways, in this regard. Consequently, no changes are really necessary to address the concerns raised about flexibility.

Civil rights and equal educational opportunity is the one area where the Federal Government has played a traditional role in protecting the interests of the disadvantaged. History has shown, unfortunately, that limited-English proficiency children need the protection of the Federal Government. I would hope that the changes offered in H.R. 2682 would not be considered until after more extensive studies have been done on the effects of bilingual education. I understand that the Department of Education expects to complete such a study in 1986. Certainly, we owe linguistic minority children the best education possible. We should not switch gears now without understanding the full scope of bilingual education. I urge this committee reject the changes proposed in H.R. 2682.

Thank you.

HEARINGS ON THE BILINGUAL EDUCATION IMPROVEMENT ACT OF 1983

WEDNESDAY, AUGUST 3, 1983

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to call, at 9:43 a.m., in room 2175, Rayburn House Office Building, Hon. Baltasar Corrada (member of the subcommittee) presiding.

Members present: Representatives Corrada, Burton of California, Goodling, Packard, Gunderson, Bartlett, and Nielson.

Staff present: Nancy Kober, majority legislative specialist; John William Smith, senior professional assistant; and Richard DiEugenio, minority senior legislative associate.

Mr. CORRADA. The subcommittee will come to order.

The Subcommittee on Elementary, Secondary, and Vocational Education is continuing its series of hearings on H.R. 2682, the Bilingual Education Improvement Act of 1983, which was introduced by our colleagues, Congressman Erlenborn and Congressman Bill Goodling.

This morning we will hear testimony on H.R. 2682, which embodies the administration's proposal and calls for the elimination of the requirement of native language instruction, a 5-year limit on funding for any school district and a reduction in the authorization from $139.9 million to $94.5 million.

We have a panel of witnesses composed of Dr. Carmen Perez, chief, bureau of bilingual education, New York State Department of Education; Carmen Gamboa, director of bilingual education and English as a second language, Austin Independent School District, Tex., representing the American Association of School Administrators; and Dr. Sau-Lim Tsang, executive director, ARC Associates, Inc., from Oakland, Calif.

Will these witnesses please come forward—Dr. Perez, Ms. Gamboa, and Dr. Tsang?

We welcome the three of you to the hearings this morning. We will proceed as follows: First, we will listen to the testimony of each of you and then after the three have ended we will have questions and answers from members of the panel. Furthermore, I would like to advise the witnesses that the full statement of your testimony will be made part of the record and you may summarize your statement as you may see fit.

We have a session of the House beginning at 10 this morning. Of course, the hearing will go beyond that time since there will some preliminary votes and we may have to recess for 10 minutes when there is a vote in the House, but we will continue the hearing until we listen to all of what you have to say.

We will now begin with the testimony of Dr. Carmen Perez, chief, bureau of bilingual education, New York State Department of Education.

Dr. Perez, if you will please proceed.

[The prepared statement of Dr. Carmen Perez follows:]

PREPARED STATEMENT OF CARMEN A. PEREZ, CHIEF, BUREAU OF BILINGUAL EDUCATION, NEW YORK STATE EDUCATION DEPARTMENT

My name is Carmen A. Perez. I am the chief of the Bureau of Bilingual Education, New York State Education Department. I appreciate the opportunity to present testimony against the proposed Bilingual Education Improvement Act.

The Bureau of Bilingual Education has responsibility for coordinating programs for over 100,000 students of limited English proficiency [LEP] representing over 77 different languages ranging from Afrikaans to Yoruba. One of the Bureau's primary responsibilities is to coordinate title VII activities throughout New York State. Over 38,000 LEP student in New York State were served through suite VII programs in the 1982-1983 academic year. With the help of Federal funds, New York State has been able to make significant advances to ensure that LEP students have equal access to education will be seriously curtailed if the drastic funding cuts that have been proposed in the legislative program for bilingual education are enacted by the Congress.

I respectfully submit that the name of the proposed legislation, "The Bilingual Education Improvement Act," is a misomer because it implies an intent to improve bilingual education while the content of the proposal focuses on the elimination of bilingual education. Any educational program that does not require the use of two languages ceases to be bilingual.

There also appears to be a contradiction between the increased Federal control and decreased local flexibility in the proposed legislation and the administration's stated philosophy of decreased Federal control and greater State and local flexibility in education. Establishing funding priorities and imposing an absolute 5-year limitation on a school district's participation in the basic grant program are strong evidence of increased Federal control and decreased State and local flexibility.

USUAL LANGUAGE TARGETING CRITERIA

The proposed legislation would establish a funding priority for programs serving students whose "usual" language is other than English. This would exclude most Native American students, approximately 5,000 of whom live in New York State, and who may not "usually" speak a langugage other than English, but whose heritage and ancestry does impact on their proficiency in English.

The establishment of a uniform funding priority for an eligible population is clearly over-regulation by the Federal Government.

We recommend that this requirement for "usual language targeting criteria" be deleted. All students identified as LEP should be eligible to receive services through Federal funds. We further recommend that the priority for funding be established by the state educational agencies in accordance with identified needs.

ELIMINATION OF NATIVE LANGUAGE INSTRUCTION

The recommendation to eliminate a requirement for native language instruction is not acceptable. The main purpose of bilingual education is to provide students with the opportunity to acquire knowledge and skills through the language they know best, while at the same time English is added to their linguistic repertoire. Sound educational theory indicates that skills are most easily learned in the language the learner understands. The teaching of reading, for example, is built on the childs background of experience of having heard and used a particular language for the approximately 5 years before entry into school. To suddenly and radically interrupt this natural process by switching to a new language—regardless of the child's age—is illogical and nonsensical, using the native language for instruction allows LEP students to participate successfully and fully in the educational process. The

use of the native language is not only the best language for instructional purposes, but its use in school can only enhance the child's self image and esteem for his own culture.

The $6.6 billion currently being requested is for the support of elementary and secondary education in this nation. This includes the $139.9 million for title VII, which represent an extremely small part of the total budget for native language instruction. Districts wishing to develop programs not using the native language have over $6 million dollars worth of Federal funding to choose from. On the other hand, districts wishing to use the native language for instruction, must continue to have that source available. The decision whether or not to apply for and accept Title VII funding rests with local boards of education and school administrators. Thus, title VII are presently legislated, presents not a restriction to the nation's schools, but a choice.

Recent national reports on education advocate foreign language for our English-speaking population. In New York State we are currently developing a plan for education for a global perspective. We value bilingualism for every student, and encourage the further native language development of bilingual students as well as the teaching of foreign language to native English speakers. We view our bilingual students as a major "natural resource," and encourage this approach on a national level in order to maintain this country's position of leadership in the "global village."

We recommend that the original title VII requirements for instruction in and through the student's native language be retained. It is this provision of native language instruction that is the very heart of the Bilingual Education Act.

REDUCTIONS IN FUNDING

We reject the proposal to establish a $94.5 million funding level for title VII.

In 1978, the authorization for 1983-84 was $400 million. The number of students in need nationally has not decreased, in fact it continues to increase. The cost of living has not decreased, in fact it also continues to increase. There is no evidence to support any decrease in funding. The impact of the proposed funding cuts on schools already hard-pressed for funds would be devastating, particularly for those children who are most in need of special services. Every year there are more requests for funds than money to support them. For example, 57 school districts in New York State requested title VII basic support for 1982-83. Only 41 districts had their applications funded and we were one of the most successful states in this respect. However, 16 were denied funding because of insufficient Federal funds.

We recommend a return of $400 million as contained in the 1978 authorization.

FIVE-YEAR LIMIT ON TITLE VII FUNDING TO SCHOOL DISTRICT

We reject the proposed legislative amendments imposing an absolute 5-year limitation on a school district's participation in the Title VII basic grant program. This limitation ignores changes in the size or make up of a school district's LEP population or in the overall number of language groups they serve.

Within the past 5 years, major population shifts have occurred in New York State. For example, a district in Brooklyn, which historically has had a large Puerto Rican population of LEP students is experencing significant increases in the number of LEP students from Russia and Indochina. Another Brooklyn district with a large Hispanic population is receiving significant numbers of students from the Middle East, Italy, and Russia. Districts in Queens have experienced large increases in the number of LEP students from Korea, South and Central America, Indochina, and the Middle East. Clearly, we cannot use the same materials, teachers and programs that were established for other language groups. Futhermore, we connot anticipate immigration patterns that will affect the need for bilingual programs in the future. We must have the flexibility to initiate new programs for new language groups, and for those students not previously served in currently represented language groups.

We recommend not accepting the proposed 5-year limit on funding. It prohibits us from serving the needs of the students where and when these needs emerge. And that important to keep in mine lest we forget, we are talking about young people, children, human beings. Their chances for success or their doom to failure and dependency. We describe accomplishments and impact in terms of statistics. Let me depart from that tradition by sharing just a few of our successes by introducing you to childern, students with real names and real accomplishment.

SUCCESS STORIES

1. Martin Giguera, a junior high school bilingual student was chosen as the salutatorian of his school. Martin had arrived from Colombia approximately 2 years before, he also won the ESL award, the St. Nicholas Park Civil Association Award, and was selected to be a member of the National Junior Honor Society.

2. Aida Millan, 6th grader, bilingual student scored a 10.2 in English reading and a high school level in mathematics.

3. Masato Kai arriced from Japan in May, 1976, and entered the Japanese-English bilingual education program in Eastchester and was mainstreamed after two years. He was named salutatorian of his class.

4. Luis Vicente, a migrant student from Puerto Rico to New York State, was in a bilingual education program in East Bloomfield for 3 years. He graduated from high school and went on to attend the University of Puerto Rico.

In summary, any Title VII bilingual education legislation enacted must continue to require the use of two languages for instruction: the native language and English. The current title VII legislation has features which must continue to be supported. Therefore, any title VII bilingual legislation enacted also must continue to:

1. provide funding for bilingual programs at the elementary and secondary levels as a priority.
2. support the development of materials and curriculum for bilingual programs;
3. support programs to train teachers;
4. support research in bilingual education;
5. increase the funding level to reflect current needs.

The recently released report, "A Nation At Risk," points up the critical need for the teaching of basic skills. For the several million LEP children in this country, a firm foundation in the basic skills, provided through a language they understand, is their hope for survival. This foundation, coupled with the ability to function effectively in English and in their native language, is their promise of success. These students depend upon title VII funds—administered sensibly and judiciously—to guarantee their equal educational opportunity. This opportunity is their right; ensuring that this opportunity will be available to them is our obligation.

Over the last several months, you have heard from many educators and other experts on this topic. I would like to close my testimony with statements from two students who have participated in bilingual programs.

Anh Tuan Nguyen, a junior high school bilingual student from Ohio recently stated:

"Last year, I stepped off the plane and found myself in the United States. I had come to a totally new world. Everything seemed so unfamiliar. Everybody was speaking a language that I could not understand. Even the sky looked different. It was snowy, cloudy, and as unclear as my future.

The bilingual program has been established to serve as a bridge over which the new people, mostly children, will cross to join the rest of the country. It is the gateway to our future. We quickly learn how the Americans live and work. In turn, we help our parents to become familiar with the new social system. We will become more and more active. eventually, we are able to take our places as members of the whole nation."

The next message is from Berta Colon, a sixth grader in P.S. 25 in the Bronx. Ms. Colon was the keynote speaker at a recent meeting of title VII administrators in Albany, New York. The presentation which she made in English and Spanish, included the following message:

"When I first went to kindergarten in P.S. 25, I only spoke Spanish. My parents are from Manati and Aibonito, Puerto Rico. My mother, Emma Colon, tells me that when I first entered the bilingual program, people tried to influence her not to enroll me in a program with Spanish. They said it would only confuse me, but she felt that it was to my benefit that I learn in Spanish and also in English, and I'm glad she did. I studied reading, math, social studies and other subjects in English and Spanish and I see now that it was better for me to learn in two languages while I was younger because when you get older it gets harder. I know that there are many critics of bilingual education, but I feel that I am an example of the merits of bilingual education. I scored 12.5 on the English city-wide reading test and 11.4 in the Spanish comprehensive test of basic skills and I am also one of the 250 students who was selected out of 3,000 to attend Hunter College High School. It is a thrill and an exciting opportunity for me to be able to compete on such a challenging level and to be able to do it in two languages. You as our teachers and administrators hold the key for students like me. Don't allow bilingual education to disappear, but help us fight to keep it going for everyone. For the future, I plan to join you as

an advocate for bilingual education and work with you to make it better and stronger. Some day I hope our paths will cross again and you will meet me as Dr. Berta Colon or Professor Berta Colon. I will cherish this moment as an inspiration for my future goals."

Thank you for this opportunity to express the views of the State of New York. We are certain that any decisions made will reflect the most careful thought and consideration.

STATEMENT OF DR. CARMEN PEREZ, CHIEF, BUREAU OF BILINGUAL EDUCATION, NEW YORK STATE DEPARTMENT OF EDUCATION

Dr. PEREZ. Thank you very much.

I am Carmen Perez and I am chief of the Bureau of Bilingual Education. Thank you for this opportunity to present testimony against the proposed Bilingual Education Improvement Act.

The bureau has responsibility for coordinating programs for over 100,000 students of limited English proficiency, representing 77 different languages ranging from Afrikaans to Yoruba in New York State.

One of the bureau's primary responsibilities is to coordinate the title VII activities throughout New York State.

Mr. CORRADA. Will the witness please stop for a moment?

I am sorry. I meant to ask our distinguished colleague, Mr. Goodling, if he had an opening statement that he would like to make at this time.

Mr. GOODLING. I don't have any particular opening statement other than to say that it is our hope that we can provide some flexibility so that districts such as Fairfax County which has at lest 70 different language groups could qualify for title VII programs. Everyone knows, of course, that in many cases the only people that we could get to do the job of properly teaching in the native language would people without certification. That wouldn't be allowed. Chicago has more than 100 different languages and so on.

Basically, what we are trying to do here is make sure that those who are doing well with the way they are presently carrying on are given an opportunity to continue that. Those who have some other suggestions and ideas of how this might be done should be able to have that opportunity to get some of the grant money. Otherwise, an awful lot of youngsters who are out there will never have an opportunity to participate in this program at all, because, of course, they will not qualify for any kind of grants under that situation.

What we have before us is legislation that is not in cement. We are flexible in relationship to the legislation, with this one exception. I would just quote Professor Ravitch:

> In our view it is wrong for the Federal Government to require any particular method or pedagogy. Never in the history of Federal/local relations has a particular teaching method been imposed by Congress and the courts on local school districts. Each district should decide for itself what method is best suited to helping children achieve fluency in English. It should be acceptable within a district or even a single school to offer several different methods without losing federal funds.

And, as I indicated, if there isn't some flexibility, then there are an awful lot of youngsters out there who will not receive any benefit of this legislation who are probably in need of some of those benefits.

Thank you, Mr. Chairman.

Mr. CORRADA. I thank the gentleman for his remarks.

Dr. Perez, will you please proceed?

Dr. PEREZ. Thank you.

In New York State we have done a great number of things to provide and advance equal educational opportunity for students of limited English proficiency. However, much of this progress would be seriously curtailed if the drastic funds were to be cut at this time.

I respectfully submit that the name of the proposed legislation, "The Bilingual Education Improvement Act," is a misnomer because it implies an intent to improve bilingual education while the contents of the proposal focuses on the elimination of bilingual education. Any educational program that does not require the use of two languages ceases to be bilingual. There also appears to be a contradiction between the increased Federal control and decreased local flexibility in the proposed legislation and the administration's stated philosophy of decreased Federal control and greater State and local flexibility in education. Establishing funding priorities and imposing an absolute 5-year limitation on a school district's participation in the basic grant program are strong evidence of increased Federal control and decreased State and local flexibility.

The proposed legislation would establish a funding priority for programs serving students whose usual language is other than English. This would exclude most Native American students in New York, where we have approximately 5,000, and who may not usually speak a language other than English, but whose heritage and ancestry does impact on their proficiency in English.

We recommend therefore that this requirement "usual language targeting criteria" be deleted. The recommendation to eliminate a requirement for native language instruction is not acceptable.

The main purpose of bilingual education is to provide students with the opportunity to acquire knowledge and skills through the language they know best, while at the same time, English is added to their linguistic repertoire. Sound educational theory indicates that skills are most easily learned in the language the learner understands.

The teaching of reading, for example, is built on the background of experience of having heard and used a particular language for the approximately 5 years before entering school. To suddenly and radically interrupt this natural process by switching to a new language regardless of the child's age is illogical and nonsensical.

There is currently $6 billion being requested for the support of elementary and secondary education programs in this Nation. This includes $139 million for title VII, which represents an extremely small part of the total budget for native language instruction.

Districts wishing to develop programs not using the native language have over 6 billion dollars' worth of Federal funding to choose from. On the other hand, districts wishing to use the native language for instruction must continue to dip only into that one $139 million. We must secure and insure that this source continues to be available.

Let us remember that the decision whether or not to apply for and accept title VII funding rests with local school boards of educa-

tion and local administrators. Thus, title VII, as presently legislated, presents not a restriction to this Nation's schools, but a choice.

Recent national reports on education advocate foreign language instruction for our English-speaking populations. In New York State we are currently developing a plan for education for a global perspective. We value bilingualism for every student and encourage the further need of language development of bilingual students as well as the teaching of foreign language to native English speaker. We view our bilingual students as a major national resource and encourage this approach on a national level in order to maintain this country's position of leadership in the global village.

We recommend that the original title VII requirements for instruction in and through the native language be retained. This provision is at the very heart of the Bilingual Education Act. We reject the proposal to establish a $94.5 million funding level for title VII.

In 1978, the authorization was for $400 million. The number of students in need nationally has not decreased. In fact, it continues to increase. The cost of living has not decreased; in fact, it continues to increase. There is absolutely no evidence to support any decrease in funding. The impact of the proposed funding cuts in schools already hard pressed for funds would be devastating, particularly for those children who are most in need of these special services.

Every year there are more requests for funds than money to support them. For example, 57 school districts in New York State requested title VII basic support for 1980 to 1983. Only 41 of those districts, in fact, were approved, because of a lack of funding. We recommend a return to $400 million, as contained in the 1978 authorization.

We reject the proposed legislative amendments imposing an absolute 5-year limitation on a school district's participation in a title VII basic program. This limitation ignores changes in the size or makeup of a school district's limited English population or in the overall number of language groups they serve.

Within the past 5 years, major population shifts have occurred in New York State. For example, a district in Brooklyn, which historically has had a large Puerto Rican population of LEP students is experiencing significant increases in the number of LEP students from Russia and Indochina and we have several experiences like this.

We recommend, therefore, not accepting the proposed 5-year limitation on funding. It prohibits us from serving the needs of the students when and where their needs arise.

Students. That's the important thing to keep in mind, lest we forget we are talking about young people, children human beings. Their chances for success or their doom to failure and dependency. We describe accomplishments and impact usually in terms of statistics. Let me depart from that position by sharing just a few of our successes in New York by introducing you to some of these children—students will real names and real accomplishments.

For example, Martin Giguera, a junior high school bilingual student who was chosen as salutatorian of his class and received a number of honorary awards.

Aida Millan, a sixth grade bilingual student who scored a 10.2 in English reading at a high school level.

Masato Kai arrived from Japan in 1976 and entered the Japanese bilingual education program in Eastchester and was mainstreamed after 2 years. He was named salutatorian of his class.

Luis Vicente, a migrant student from Puerto Rico in New York State was in a bilingual program in East Bloomfield for 3 years. He graduated from high school and went on to attend the University of Puerto Rico.

In summary, we must continue to require the use of two languages for instruction, the native language and English. There are theories of other recommendations that I have made in the written report. However, over the last several months—I would like to close in this way—you have heard from many educators and other experts on this topic. I would like to close my testimony with State statements from two students who have participated in the program.

Anh Tuan, a junior high school bilingual student from Ohio recently stated last year, and I quote.

> Last year, I stepped off the plane and found myself in the United States. I had come to a totally new world. Everything seemed unfamiliar. Everybody was speaking a different language that I could not understand. Even the sky looked different. It was snowy, cloudy, and as unclear as my future.
>
> The bilingual program has been established to serve as a bridge over which the new people, most children, will cross to join the rest of the country. It is the gateway for our future. We quickly learn how Americans live and work. In turn, we help our parents to become familiar with the new social system. We will become more and more active. Eventually, we are able to take our places as members of the whole nation.

The next message is from Berta Colon, a sixth grader in P.S. 25 in the Bronx. Ms. Colon was the keynote speaker at a recent meeting of title VII bilingual administrators in Albany. The presentation which she made was in Spanish and English and included the following message:

> When I first went to kindergarten in P.S. 25, I only spoke Spanish. My parents are from Manati and Albonito, Puerto Rico. My Mother, Emma Colon, tells me that when I first entered the bilingual program people tried to influence her not to enroll me in the program in Spanish. They said that it would only confuse me.
>
> But she felt that it was to my benefit that I learn in Spanish and also in English, and I am glad she did.
>
> I know that there are many critics of bilingual education, but I feel that I am an example of the merits. I scored 12.5 on the English citywide reading test and 11.4 in the Spanish comprehensive test of basic skills and I am also one of the 250 students who were selected out of 3,000 to attend Hunter College High School.
>
> You, as our teachers and administrators, hold the key for students like us. Don't allow bilingual education to disappear, but help us to fight to keep it going for everyone. Someday I hope our paths will cross again and that you will meet me as Dr. Berta Colon.

Thank you very much for this opportunity to express our views. We are certain that your decisions will be made and will reflect the most careful thought and consideration.

Thank you.

Mr. CORRADA. Thank you very much, Dr. Carmen Perez, for your excellent testimony, one coming from a person that has dealt directly and very closely with this program.

We have a vote on the floor now so we will recess for 10 minutes. Please stay here and we will come back to listen to the other two witnesses and then have the question and answer period.

We stand in recess for 10 minutes.

[Brief recess.]

Mr. CORRADA. We will now resume our hearing after our recess to vote and having heard the testimony of Dr. Carmen Perez, we will now listen to Ms. Carmen Gamboa, director of bilingual education and English as a second language, Austin Independent School District, Tex., representing the American Association of School Administrators. We welcome you, Ms. Gamboa, and we will be very pleased to listen to your testimony.

Please proceed.

[The prepared statement of Carmen Gamboa follows:]

PREPARED STATEMENT OF CARMEN GAMBOA, DIRECTOR OF BILINGUAL EDUCATION AND ENGLISH AS A SECOND LANGUAGE, AUSTIN INDEPENDENT SCHOOL DISTRICT, AUSTIN, TEX.

Mr. Chairman and members of the subcommittee: My name is Carmen Gamboa from Austin, Texas. I address you today representing the American Association of School Administrators [AASA] in my capacity of Director of Bilingual Education and English as a Second Language in the Austin Independent School District and as personal spokesperson for my school superintendent, Dr John Ellis. The American Association of School Administrators is the professional organization for nearly 18,000 educational leaders in the United States, Canada and in other parts of the world.

The AASA recognizes that public schools have played a major role in providing education for children whose first language is other than English. The AASA believes that students with no or limited English language proficiency should have appropriate instruction to make them proficient in English as early as possible.

My testimony today concerns the proposed title VII Amendments as contained in H.R. 2682. I will relate the position of the American Accociation of School Administrators relative to these amendments throughout narrative of my personal experiences, and you find the AASA's points summarized at the beginning of my written testimony.

POSITION OF THE AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS

Bilingual education should focus on developing competency in English for students who have limited English proficiency.

Funds for bilingual education should be distributed to local school districts on a formula rather than by competitive grants. The formula should be based on the number of limited English proficient students as determined by local criteria.

Funding for bilingual education should go from the Department of Education to local school districts.

Funding should be provided for school districts to serve non-English speaking students whose families are temporary residents in the United States.

A separate title of the Bilingual Education Act should be enacted to address emergency conditions created by large influxes of non-English speaking immigrant students during the course of a school year. When national policy creates waves of non-English speaking immigrants, such as the Cuban or Haitian boat people, local schools should not have to bear the excess costs of educating those students.

LEA's should have the discretion to select among several approaches to bilingual education including transitional bilingual education [TBE], English as a second language [ESL], immersion and other approaches.

Students should only be counted for funding for bilingual education for 5 years, but students should be eligible for services until they achieve English proficiency as defined by locally selected criteria.

There should be no limit on the number of years a LEA is eligible for funding under bilingual education. Eligibility should be determined by the presence of children who are not proficient in English.

School districts should be able to use bilingual education funds for salaries of teachers and aides, as well as for materials and equipment.

Funding for non-English speaking immigrant students should not be limited as a consequence of the method of entry into the United States, e.g., political refugees, illegal aliens.

Bilingual education should not seek to eliminate cultural diversity. Rather the program should focus on developing students' proficiency in English while maintaining respect for and knowledge about other cultures.

The Title VII appropriation must remain at $139.9 million because the need for schools to provide education for limited English proficient students is increasing daily. Concerning funding, the American Association of School Administrators takes the following position relative to the authorization of the $139.9 million for Title VII:

Funds for bilingual education should be distributed to local school districts on a formula rather than by competitive grants. The formula should be based on the number of limited English proficient students as determined by local criteria.

Funding for bilingual education should go from the Department of Education to local school districts.

Funding should be provided for school districts to serve non-English speaking students whose families are temporary residents in the United States.

A separate title of the Bilingual Education Act should be enacted to address emergency conditions created by large influxes of non-English speaking immigrant students during the course of a school year. When national policy creates waves of non-English speaking immigrants, such as the Cuban or Haitian boat people, local schools should not have to bear the excess costs of educating those students.

Students should only be counted for funding for bilingual education for five years, but students should be eligible for services until they achieve English proficiency as defined by locally selected criteria.

There should be no limit on the number of years a LEA is eligible for funding under bilingual education. Eligibility should be determined by the presence of children who are not proficient in English.

School districts should be able to use bilingual education funds for salaries of teachers and aides, as well as for materials and equipment.

Funding for non-English speaking immigrant students should not be limited as a consequence of the method of entry into the United States, e.g., political refugees, illegal aliens.

I am a product of the public schools. I was too poor financially to attend parochial or other private schools. I venture to say that you are proud of what the schools have helped to make of me, and I myself am proud and thankful. One of the reasons for the schools' success was that I stayed in school. Before anyone remarks that I made it without assistance from Title VII, let us not forget about the numbers and numbers of children who started out when I did but dropped out along the way. And I emphasize again, though it was not called bilingual education at that time, my teachers used the method. I was blessed to have had the opportunity to stabilize my cognitive development in Spanish language skills before receiving all my instruction in English.

The AASA and I have our hopes anchored on you, and we appeal to you on behalf of all the present limited English proficient students, and those to enter our country in the future, to continue your support and quest for excellence in education. The individual school districts cannot meet the special langauge needs of these students without your help. The American Association of School Administrators respectfully requests that you support the position presented to you and that the final amendments to the Bilingual Education Act reflect the same.

Please accept my gratitude and appreciation for this new experience in my life. I thank you for the kind and considerate attention afforded me in delivering this testimony.

STATEMENT OF CARMEN GAMBOA, DIRECTOR OF BILINGUAL EDUCATION AND ENGLISH AS A SECOND LANGUAGE, AUSTIN INDEPENDENT SCHOOL DISTRICT, TEX., REPRESENTING AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS

Ms. GAMBOA. Thank you, Mr. Corrada and members of the subcommittee. My name is Carmen Gamboa and I am from Austin, Tex. I address you today representing the American Association of School Administrators [AASA] in my capacity as director of bilingual education and English as a second language in the Austin In-

dependent School District and as personal spokesperson for my superintendent, Dr. John Ellis.

The American Association of School Administrators is a professional organization for nearly 18,000 educational leaders in the United States, Canada, and in other parts of the world. The AASA recognizes that public schools have played a major role in providing education for children whose first language is other than English.

The AASA believes that students with no or limited English language proficiency should have appropriate instruction to make them proficient in English as early as possible. My testimony concerns the proposed title VII amendments as contained in H.R. 2682. I will summarize the stand of the Association and you have the full text in my written testimony.

To summarize, we certainly believe that English is the basic language of the United States and for that reason bilingual education should focus on developing competency in English for students who have limited English proficiency. Funds for bilingual education should be distributed to local school districts on a formula rather than by competitive grant.

The formula should be based on the number of limited English proficient students, as determined by local criteria. In that way we feel that school districts whose boards do not choose to compete with competitive grants will still have a chance to help their limited English proficient students because everyone will be covered by a formula. Also, there are school districts that are poorer than others and some may be able to afford a grants writer and some may not be able to afford or may not want a grants writer.

Funding for bilingual education should go from the Department of Education's local school districts. We believe this money should go directly toward school districts rather than to SEA's.

A separate title of the Bilingual Education Act should be enacted to address emergency conditions created when large influxes of non-English-speaking immigrant students during the course of the year descend upon a local school district and we feel that when national policy creates waves of non-English-speaking immigrants, such as the Cuban or Haitian boat people, we feel that the local school districts should not have to bear the excessive costs of educating these students.

LEA's should have the discretion to select among several approaches, certainly including transitional bilingual education, whenever feasible to implement. Among other approaches, English as a second language, immersion or a combination of other approaches.

In the Austin Independent School District we are fortunate to have the ingredients to implement TBE or transitional bilingual education for Hispanics, K-8, and Vietnamese, K-6, limited English proficient students. We also have other students who have limited English proficiency and these students represent during the school year a wide gamut of from 35 to 45 different languages. For these, it is impossible to implement TBE and we serve them through the English as a second language approach. For that reason, we believe that it will be the benefit of the school districts and the students to have the discretion.

There should be no limit on the number of years a LEA is eligible for funding under bilingual education. Eligibility should be determined by the presence of children who are not proficient in English and these children may not appear all in the same 5 years.

Bilingual education should not seek to eliminate cultural diversity; rather the program should focus on developing student's proficiency in English while maintaining respect for a knowlegde about other cultures. From my personal experience, I would like to say that I consider myself very fortunate to have had Anglo teachers, because at the time that I went to elementary school there were very few Mexican-American teachers. In fact, during all of my school years, I had probably at the most one—I am sorry—at the most two Mexican-American teachers.

So, I have concluded that the reason for that was that at the time of my schooling, there were very few Mexican-American students who stayed in school long enough to graduate, go to college, and pursue a career in teaching. But I did have Anglo teachers who were bilingual, who taught me bilingually, and this was in the Rio Grande Valley. These teachers were not from there; they were from the northern States. One of the things, I think, that helped me so much was the attitude that they imparted. Perhaps they weren't the best bilingual teachers, the best in competency, but their attitude was far-reaching. They made home visits. Every time that they went to visit my parents, they would speak in Spanish and they never encouraged my parents to drop the Spanish at home. My parents were too busy making a living and it would have been a hardship for them to learn a second language formally.

Another thing about maintaining cultural diversity, I can remember that from the fifth grade on up lunchtime was pretty much of a hassle. We carried our lunch in the same paper sack all week and when we thought that the others weren't looking at us, then we would raise the sacks to our mouths and take a quick bite from our breakfast and fajita tacos. However, at that time, we didn't know that these two items, breakfast and fajita tacos were to become so profitable and we were far ahead of our times and didn't even know it.

I must make this point that—I said I went to school and during my first and second grade instruction I had teachers who were bilingual. Up until the fourth grade, I had access to bilingual education if I needed it, and that was fine. But later a change began to take place in the later generation of Mexican-Americans, because we began to be punished in school for speaking Spanish.

Some families elected to experiment at home with English of questionable quality. Spanish usage declined or disappeared and when the children in these families married or had children of their own, they were determined that their offspring would speak only English and eat white-bread sandwiches.

The grandparents, meanwhile, communicated with the grandchildren in Spanish which the grandchildren didn't understand or in poor English, which didn't help the grandchildren acquire English competency. And this subtraction of languages continues to this day because of confused allegiance to what is perceived as expected in order to make it in a dominant society.

So, consequently, our schools have large numbers of limited English proficient students of Spanish origin who are deficient in both languages and these students cannot succeed in school without special language instruction.

Our Nation is losing out on linguistic resources when we subtract rather than add languages to student's repertoire. Therefore, our recommendation is bilingual education should not seek to eliminate cultural diversity; the programs should focus on developing student proficiency in English, while maintaining respect for and knowledge about other cultures.

The AASA and I have our hopes anchored on you and we are appealing to you today on behalf of all the present limited English proficient students and those who enter our country in the future to continue your support and quest for excellence in education, and because the individual school districts cannot meet the special needs of these students without your help, we are also asking you not to cut the funds any further.

We are not saying that they should stay at $139 million, but at least at $139.9 million. We request that you support the positions presented to you and that the final amendments to the Bilingual Education Act reflect the same.

Please accept my gratitude and appreciation for this new experience in my life. This is my first time to do something like this. I have done it to our local school board, but I am very excited that I had the opportunity. I thank you for your kind and considerate attention.

Mr. CORRADA. Thank you very much, Ms. Gamboa, for your testimony. We are certainly pleased to see that a person as involved as you are with education in our country would appear before this subcommittee and that we have the benefit of your views on this subject.

We will now listen to the third witness in our panel, Dr. Sau-Lim Tsang, executive director, ARC Associates from Oakland, Calif.

We have heard so far in our hearings, of course, extensive testimony, particularly from the Hispanic language minority children and we are particularly pleased at this time to listen to the views of a non-Hispanic language minority person and we welcome you. Would you please proceed with your testimony, Dr. Tsang?

[The prepared statement of Sau-Lim Tsang follows:]

PREPARED STATEMENT OF SAU-LIM TSANG, ARC ASSOCIATES, INC., OAKLAND, CALIF.

Mr. Chairman and members of the subcommittee: I am an educator who has spent the last 9 years working on educational issues concerning limited English proficient [LEP] students. I would like to draw on my experience to comment on the proposed Bilingual Education Improvements Act of 1983 [Act].

A. When the present administration took office in 1981, the role of the Federal Government in public education was revamped in recognition of the fact that education is the responsibility of the States and local educational agencies [SEA's and LEA's], not the National Government. Prescriptive regulations were simplified in acknowledgement of the fact that there is no finite set of appropriate instructional policies that would be effective in varied educational settings. Many categorically funded programs were consolidated into block grants to provide Federal support for education without limiting SEA and LEA discretion in the design and implementation of needed programs. The proposed act reflects the philosophy of this administration.

Underlying these policies is confidence in the commitment, capacity, and expertise of local communities to provide quality and equitable education to all their chil-

dren. However, this confidence may be somewhat misplaced. As a well known fact, LEA decisions about instructional programs are made by school boards. Local boards are usually faced with severe financial problems and conflicting demands for educational programs. Additionally, they are not necessarily sensitive to the needs of language minority students. The combination of these factors often results in school board policies which do not provide or promote quality education for language minority students.

For example, we should not forget that the *Lau* v. *Nichols* suit resulted from the San Francisco Unified School District's refusal to respond to LEP parental and student concerns. The Chinese American community was forced to invoke the 1964 Civil Rights Act and appeal to the U.S. Supreme Court to gain recognition of their children's educational rights.

As a community member of the Oakland Unified School District's Bilingual Education Advisory Council, I can provide you with a more recent example of the extent to which parental and school board concerns are not entirely compatible. The council was formed in 1976 according to the requirements of the California State bilingual education law and was charged with developing a master plan for the school board to follow in serving its increasing enrollment of LEP students. With the school district's blessing, the council expected to present a master plan for school board approval within 1 year. However, the task was much more difficult than anticipated. Version after version of the master plan was rejected by the school administration because of objections from different interest groups. The task became a protracted effort. The master plan was finally adopted by the school board on July 27, 1983, after 7 frustrating years.

I cannot emphasize enough that it is unusual for LEP parents to have the resources, time, and background to influence educational policies affecting their children. In short, the San Francisco and the Oakland examples of parental involvement are atypical. Many parents of LEP students are recent immigrants who are unfamiliar with the concept and processes of local control of schools. They lack political clout because of their noncitizenship and thus nonvoter status. Some are from low-income backgrounds. As such, they are concerned with economic survival and cannot devote their energies to attending school board meetings in order to make their concerns heard.

While I am aware that federal regulations already stipulate parental involvement in the development and implementation of title VII programs and assume that such regulations will continue under any new bilingual education law, I strongly recommend that Congress insert explicit language in the bilingual education bill itself which will underscore the importance of LEP parents, as opposed to LEA's, in decisions concerning the instruction of their children.

B. The proposed act provides an extraordinary loose definition of bilingual education which, in effect, renders eligible for federal support any program proposed by a LEA. Since a LEA's application for support from this act is voluntary and the amount of funding is limited, Congress should provide explicit guidelines in the legislation to insure that federal funds are used to support programs that are meaningful for the LEP students. Specifically, results of part C of title VII research studies are beginning to shed light on the functioning of successful instructional programs for LEP students. These findings should be incorporated into the proposed act.

For example, I have, since 1980, participated in the Significant Bilingual Instructional Features [SBIF] study. This national study examined nine successful instructional programs which served different ethnolinguistic students in key regions of the country. The findings have revealed some essential instructional elements which underlie these programs.

Educational theories tell us that learning is optimized when instruction and task demands are: (1) clearly communicated to the students; and (2) delivered to the students at a level that is both challenging and within their capacity to achieve. The study found that bilingual teachers were able to meet these two optimal learning conditions and accomplish the major goal of bilingual education—to develop LEP students' English-language proficiency and at the same time, to maintain their normal progress in other academic skills—by alternating the language of instruction between English and the students' native language as required. This teaching methodology prevents situations where LEP students are enrolled in an all English classroom where they are completely lost and frustrated, or where the students are placed in remedial classes where the level of English instruction is too simple, rendering the subject matter boring and/or too easy.

Additionally, since students in a single classroom vary in their English proficiency, the bilingual teachers were able to adjust their use of the students' native language according to individual needs and thus, simultaneously keep instruction and

task demands at appropriate levels for a variety of students. In contrast, a teacher who is solely English-speaking is less able to gear his/her instruction towards the different English language proficiencies of his/her students.

Of course, the above description applies to classrooms where the LEP students are of the same native language background. However, the SBIF study found that communicating and delivering instructions and task demands at appropriate levels are also the objectives of teachers with students from heterogeneous language groups. These teachers, unable to communicate directly with all the students, resort to a variety of meanns: they use aides with appropriate language abilities and they use peer teaching among more and less English fluent students of the same language background.

These findings clearly indicate the importance of using the LEP student's native language to mediate instruction in the classroom and the advantages of using bilingual instructional personnel in educational programs for LEP students. Congress should include the use of the primary language, providing for waivers as appropriate, as an instructional criterion for experimental programs funded under any new bilingual education law.

C. The 5-year limit for Federal funding is perhaps shortsighted. This limitation handicaps LEA's which have traditionally served LEP students of one or more language backgrounds but which are then confronted with an unanticipated influx of LEP students of different language backgrounds. These LEAs might have used 5 years of federal funds to institutionalize educational programs for their initial LEP target students, but they may not have the appropriate staff or knowledge to serve new LEP groups. Exemplifying such LEA's are those located in the west coast where large new refugee communities have appeared. These school districts should, in fact, be prioritized to receive funding from this act for capacity building.

D. The $95,000,000 proposed by this act for fiscal year 1984 is inadequate to accomplish the purposes of this legislation. Because of school finance problems and the increasign number of LEP students, LEA's can use all the support this act can provide to increase their capacity to serve their LEP students. A cutback from the current funding level of $135,000,000 will undercut the impact of this legislation and is not recommended.

Last, I would like to thank you for this opportunity to present my thoughts on the proposed act. The comments are meant to be constructive. I hope they will be used to increase the effectiveness of the proposed legislation.

STATEMENT OF SAU-LIM TSANG, EXECUTIVE DIRECTOR, ARC ASSOCIATES, INC., OAKLAND, CALIF.

Dr. TSANG. Mr. Chairman, members of the subcommittee, my name is Sau-Lim Tsang. I am an educator who has spent the last 9 years working on educational issues concerning limited English proficient students. I would like to draw on my experience to comment on the proposed Bilingual Education Improvement Act of 1983.

A. When the present administration took office in 1981, the role of the Federal Government in education was revamped in recognition of the fact that education is the responsibility of the State and the local educational agencies, not the National Government.

Prescriptive regulation was simplified in acknowledgment of the fact that there is no finite set of appropriate instructional policies that would be effected in varied educational settings. Many categorically funded programs were consolidated into block grants to provide Federal support for education without limiting SEA and LEA discretion in the design and implementation of needed programs. The proposed act reflects the philosophy of the administration.

Underlying these policies is confidence in the commitment, capacity, and expertise of local communities to provide quality and equitable education to all their children. However, this confidence may be somewhat misplaced. As a well-known fact, LEA decisions

27-315 O - 84 - 11

about instructional programs are made by school boards. Local boards are usually faced with severe financial problems and conflicting demands for educational programs.

Additionally they are not necessarily sensitive to the needs of language minority students. The combination of these factors often results in school board policies which do not provide or promote quality education for language minority students.

Mr. CORRADA. Will the witness stop for a second? I have to go to the House floor because we have a medicaid bill for the unemployed that provides, among other things, an increase in medicaid funds for Puerto Rico of $45 million to $77 million and although, of course, I am very interested in these hearings on bilingual education, which is a major concern to me, at this time I have to excuse myself.

I would like to ask the distinguished gentlelady from California, Congresswoman Sala Burton, to please chair the hearings at this time.

Mrs. BURTON. Thank you, Mr. Chairman.

[Pause.]

Mrs. BURTON. Please continue.

Dr. TSANG. I am going to repeat the last sentence. The combination of these factors often results in school board policies which do not provide or promote quality education for language minority students.

For example, we shouldn't forget that the *Lau* v. *Nichols* suit resulted from the San Francisco unified school district's refusal to respond to LEP parental and student concerns. The Chinese-American community was forced to invoke the 1964 Civil Rights Act and appeal to the U.S. Supreme Court to gain recognition of the children's educational rights.

As a community member of the Oakland Unified School District's Bilingual Education Advisory Council, I can provide with a more recent example of the extent to which parental and school board concern are not entirely compatible.

The council was formed in 1976 according to the requirements of the California State bilingual education law and was charged with developing a master plan for the school board to follow in serving its increasing enrollment of LEP students. With the school district's blessing, the council expected to present a master plan for school board approval within 1 year. However, the task was much more difficult than anticipated.

Version after version of the master plan was rejected by the school administration because of objections from different interest groups. The task became a protracted effort. I am happy to say that the master plan was finally adopted by the school board on July 27, 1983—that was last Wednesday—after 7 frustrating years.

I cannot emphasize enough that it is unusual for LEP parents to have the resources, time, and background to influence educational policies affecting the children. In short, the San Francisco and the Oakland examples of parental involvement are atypical. Many parents of LEP students are recent immigrants who are unfamiliar with the concept and processes of local control of schools. They lack political clout because of their noncitizenship and thus nonvoter status. Some are from low-income backgrounds. As such, they are

concerned with economic survival and cannot be devoting energies to attending school board meetings in order to make their concerns heard.

While I am aware that Federal regulations already stipulate parental involvement in the development and implementation of title VII programs and assume that such regulation will continue under any new bilingual education law, I strongly recommend that Congress insert explicit language in the bilingual education bill itself which will underscore the importance of LEP parents as opposed to LEA's in decisions concerning the instruction of their children.

B. The proposed act provides an extraordinarily loose definition of bilingual education which, in effect, renders eligible for Federal support any programs proposed by an LEA. Since an LEA's application for support from this act is voluntary and the amount of funding is limited Congress should provide explicit guidelines in the legislation to insure that Federal funds are used to support programs that are meaningful for the LEP students. Specifically, results of the part C title VII research studies are beginning to shed light on the functioning of instructional programs for LEP students. These findings should be incorporated in the proposed act.

For example, I have since 1980 participated in the significant bilingual instructional features study. This national study examined nine successful instructional programs which served different ethnolinguistic students in key regions of the country. The findings have revealed some essential instructional programs which underlie these programs.

Educational theories tell us that learning is optimized when instruction and task demands are: First, clearly communicated to students; and, second, delivered the student at a level that is both challenging and within their capacity to achieve.

The study found that bilingual teachers were able to meet those two optimal learning conditions and accomplish the major goal of bilingual education; that is, to develop the LEP students' English-language proficiency and at the same time to maintain their normal progress in other academic skills. They did this by alternating the language of instruction between English and the student's native language as required. This teaching methodology prevents situations when LEP students are enrolled in an all-English classroom where they are completely lost and frustrated or where the students are placed in remedial classes where the level of English instruction is too simple, rendering the subject matter boring and/or too easy.

Additionally, since students in a single classroom vary in their English proficiency, the bilingual teachers were able to adjust their use of the students' native language according to individual needs and thus, simultaneously keep instruction and task demands at appropriate levels for a variety of students. In contrast, a teacher who is solely English-speaking is less able to gear his/her students.

Of course, the above description applies to classrooms where LEP students are of the same native language background. However, the SBIF study found that communicating and delivering instructions and task demands at appropriate levels are also the objectives of teachers with students from heterogenous language groups. These teachers, unable to communicate directly with all students,

resort to a variety of means: they use aides with appropriate language abilities and they use peer testing among more and less English fluent students of the same language background.

These findings clearly indicate the importance of using the LEP students' native language to mediate instruction in the classroom and the advantages of using bilingual instructional personnel in educational programs for LEP students. Congress should include the use of the primary language, providing tor waivers as appropriate, as an instructional criterion for experimental programs funded under any new bilingual education law.

C. The 5-year limit for Federal funding is perhaps shortsighted. This limitation handicaps LEA's which have traditionally served LEP students of one or more language backgrounds but which are then confronted with an unanticipated influx of LEP students of different language backgrounds.

These LEA's might have used 5 years of Federal funds to institutionalize educational programs for their initial LEP target students, but they may not have the appropriate staff or knowledge to serve new LEP groups. Exemplifying such LEA's are those located in the west coast where large new refugee communities have appeared. These school districts should, in fact, be prioritized to receive funding from this act for capacity building.

D. The $95 million proposed by this act for fiscal year 1984 is inadequate to accomplish the purposes of this legislation. Because of school finance problems and the increasing number of LEP students, LEA's can use all the support this act can provide to increase their capacity to serve their LEP students. A cutback from the current funding level of $135 million will undercut the impact of this legislation and is not recommended.

Last, I would like to thank you for this opportunity to present my thoughts on the proposed act. The comments are meant to be constructive. I hope they will be used to increase the effectiveness of the proposed legislation.

Mrs. BURTON. Thank you.

I don't know if you know it, but I am from San Francisco and, obviously, bilingual education is very important to me. I, myself, was born in Europe and came here at age 14. I know what it is to know another language; to go to school when there is no opportunity of getting someone else to speak the language you know. I spoke Polish, it was a little difficult to have anyone to instruct me in English and Polish. So I had to learn English immediately.

In San Francisco where we have what I call a "small world"; every language in this world is spoken. Bilingual education has been a great help and we must continue to do the best we can in order to see that the children of Asian families and Spanish families, particularly, because they represent the majority of children from other countries in California, have an opportunity to get into the mainstream of life.

I will call now on Congressman Goodling to ask some questions or whatever else he has to say.

Mr. GOODLING. Thank you, Madam Chairman. First of all, a few observations and then a specific question. Having been 22 years of my life on every level, in almost every capacity, I have discovered that one of our shortcomimgs as educators, and one of the reasons

we don't get the respect that we should is that we, so many times, "Don't change anything because what we are doing is right," and the public isn't willing to buy that. "If you just give us more money, we will do more of the same and everything will be fine." As I said, the public isn't quite willing at the present time to put out extra money, yet all of the testimony we have had from Governors and State representatives indicated that people are willing to pay more in taxes for education, if, in fact, they see an attempt to improve the excellence of our educational system.

In this piece of legislation, as I indicated, it's not in cement. Funds are cut, however, I think we have to understand that there is no reason to talk about authorizations. Authorizations, unfortunately, are a political tool. It's the worst political demogoguery, I guess—I am not sure what term I want to use—that has ever been invented, because what it does—the people who come up with these authorizations and legislation know very well that the Appropriations Committee will never fund at that level and, therefore, all we do is hoodwink the public and we get their hopes up.

It was mentioned, of course, that in 1978 it was a $400 million authorization. Well, in 1978 it was really a $174 million authorization, but only $135 million was appropriated. It was in 1980 or 1981 when it was $400 million and only $157 million was appropriated. So we daren't confuse the gimmick that is used, the political gimmick that is used in authorization with the realities of life, which, of course, is appropriate and it come to that committee's responsibility to spread what money we have over all of the issues that we deal with at the Federal level.

It would be much easier for us to increase the amount of money for this program when we go to the floor of the House if, as a matter of fact, there is some flexibility, that more people can participate in that program because there is some flixibility in the legislation.

Second, the legislation surely does not require that anybody give up bilingual education. What it does is encourage you to do an even better job in that particular area, and continue, if you are successful, doing it just the way you are doing it and that's the way you should continue to do it.

The 5-year limit that was mentioned, I objected to that when the administration sent their proposal. I don't know how many of you know that the administration and myself are usually at odds when it comes to educational issues and school lunch and child nutrition issues. But the 5-year limit is a very flexible thing. The Secretary has indicated that I said that with the kind of immigration that we have at the present time, it would be silly to put on a kind of limit because you never know when the next wave of immigrants may come to that particular school district; so that's a flexible thing.

And then I would mention that, I believe it was Ms. Perez—one of their comments was "Keep it going for everyone." That's what we are trying to do. We are trying to get it out to everyone rather than the limited areas that it is now serving because of the restrictive kind of grant program that we have.

I can give some success stories, too, in central Pennsylvania where we had a large influx of Vietnamese because of Indian Town Gap.

We didn't have Vietnamese instructors, they weren't available, but I can give you outstanding success stories with the young people who came from Vietnam and the effort that we put forth to teach and to get them proficient in the English language, even though we didn't have those kind of people.

Now, I agree, Ms. Gamboa—I had introduced the Refugee Education Consolidation Act to take care of one of the problems that you mentioned in your testimony, which is the local districts shouldn't be saddled with the tremendous increased costs that they have because of national policy in relationship to immigration refugees, et cetera, and we passed that in the House and in the Senate, the President signed it, but unfortunately it goes back to the appropriations process and it hasn't been appropriated. I agree with you that it needs to be appropriated.

Let me just make one or two other brief comments. I would take issue with two comments. Dr. Tsang, having been a principal, and a superintendent, and a school board president, I take issue with: "However, this confidence may be misplaced. As a well-known fact, LEA decisions about instructional programs are made by school boards." I would like to say that if the administrators are worth their salt, the school boards make decisions according to the fact that the administrator was able to sell the program, had something to sell.

I must admit that I was very successful and always reminded school boards that if they lose confidence in their educational leadership, then they should get new leadership. They never should ever try to run a school system themselves.

The other issue that I would take—you talked about the studies that tell how great TBE is. I read from one of those studies.

> Literature on the effectiveness of TBE, however, doesn't justify such heavy reliance on this one method of instruction. In order for the Federal Government to rely exclusively on one instructional method for meeting the needs of language minority children, the following two conditions must hold: There must be a strong case that the instructional method is uniformly effective. Second, instructional alternatives should not exist if the desired outcomes can be reached through more than one approach. The Federal Government should not constrain the options of the local schools. No consistent evidence supports the effectiveness of TBE. The only American study designed to be nationally represented have found negative effects for TBE in English and no effects for Math.

Now, my one question: If this legislation were to pass and it were funded at the same level it is this year or at a higher level, what changes in teaching methodology would you have to make in your current bilingual education programs?

Dr. TSANG. I do not run a bilingual education program.

Mr. GOODLING. All right. I guess this would be for both ladies, I suppose. I think Dr. Perez seemed to think that there would be all sorts of changes that would have to be made and the question then is, both to Dr. Perez and Ms. Gamboa, if this legislation were to pass, funded at the present level or at a higher level, what changes in teaching methodology will you have to make in your current bilingual education program?

Ms. GAMBOA. As far as the methodology is concerned, we would not make that much of a change because we are already instituting TBE for Hispanics and for Vietnamese.

What would help us tremendously would that if you were to take the recommendations of the AASA is that then we would have more funding on a formula basis for all of the other students that were not being touched by funding when we were doing the grants.

Mr. GOODLING. That was going to be my second question to all of them. Are you all for funding on a formula rather than on a grant system? But completing the answer to the other question, Dr. Perez, how would you have to change your teaching methodology?

Dr. PEREZ. Well, only in the sense that there would probably be less bilingual programs implemented because there would be reduced——

Mrs. BURTON. Could you speak into the mike, it's very difficult to hear, or is it on?

Dr. PEREZ. I think there would be less bilingual programs implemented because naturally there would be less funding that would go——

Mr. GOODLING. The legislation would not change.

Dr. PEREZ. The actual methodology in the classroom would not necessarily change, if you are talking about bilingual education. If you are talking about using or permitting the instructions in both languages, no, it would not necessarily change it.

Mr. GOODLING. The legislation does not change what you are doing and doing well.

Is that a correct statement?

Dr. PEREZ. Not in the classroom, no.

Mr. GOODLING. Now, how about the other question? We would probably all be interested in knowing because that was something that hadn't been thrown out to us before although I will say that in almost every other case, there is a formula in almost everything we do. But how about the other two?

Dr. TSANG. I don't agree with the formula funding. That is not the purpose of this legislation, which is to encourage experimental programs. If you go into formula funding, people can do whatever they are doing and just get the money.

I was wanting to react to your last question although I don't run a program. But one thing that I would like to see for the education of the LEP student is to have more and more teachers who have the bilingual capability. My own experience shows that that is one of the basic underlying elements that is good instruction.

Mr. GOODLING. I notice that Dr. Perez briefly mentioned second language for English-speaking students. That has nothing to do with this legislation, but Mr. Simon and I introduced a foreign language bill to do what you are specifically saying. First of all, in this country until you have a real need for the other language it's very difficult to get people too interested. But we are trying to do that in the foreign language bill that Mr. Simon and I introduced.

We are, first of all, trying to work with those who have some interest that are in high school and then get them to come back to the high school and show that interest to other students, and then encourage them to go on and be teachers in bilingual education programs and foreign language programs. We are trying to do that in another piece of legislation. We will all be fighting for the same dollars, of course.

Dr. TSANG. I would like to react to your comment to my issue. You mentioned something about TBE, the effectiveness and also versus the other program. I would like to say that in my presentation, I have not mentioned anything about specific programs. What we study could be TBE or any program. One basic assumption is that the teachers were able to communicate with the students through the native language. It could be in any type of program. So I am not saying that that is a criteria.

Mr. GOODLING. Yes; I agree with that and that's true of any effective bilingual education program. I thought you were specifically pointing out how outstanding TBE was and you certainly made it sound like that's a given fact, that the research has indicated that and I was merely pointing out that it depends on whose research you are reading. There are others who don't find that as effective as some other methods.

Dr. TSANG. OK. In fact, I have said that there are some classes that we studied that have students from seven to eight different language groups and it's impossible to have a bilingual teacher that can serve all of the students. But under that circumstance, the teacher can use other strategies to try to communicate with the students. But that's the last resort because it's impossible to expect a school district to find a teacher who can communicate with all of them.

Mr. GOODLING. Thank you, Madam Chairman.

Mrs. BURTON. Thank you, Congressman Goodling.

I would like to ask one question before I yield to you, Congressman Nielson.

Is there anything in the administration's bill that will help, will promote, will improve bilingual education?

Anyone can answer, any of the witnesses or all three of you.

Dr. TSANG. Are you referring to the bill that we are talking about just the way it is?

Mrs. BURTON. Yes.

Dr. TSANG. I don't think so.

Mrs. BURTON. Any other comments?

Dr. PEREZ. No.

Mrs. BURTON. Evidently, it doesn't improve anything.

Dr. TSANG. It provides a potential loophole that school districts can apply for funding for doing nothing because of the loose definition of what bilingual education is in the bill.

Ms. GAMBOA. I think the potential is there, but I also, speaking for my superintendent and what he expects of us and what he has us do, I don't think that we would get any further down the ladder in what we are doing. And we are trying to implement as much as we can Spanish as a second language on our local district funding because we believe in languages. So, I think that the potential certainly is there, but I think it will also be up to us to turn it around.

Mr. GOODLING. Will the gentlelady yield?

Mrs. BURTON. Yes; for a question, because I want to get to Congressman Nielson before the bells ring.

Dr. PEREZ. Is it possible for me to make a statement on that also, please?

Mrs. BURTON. Yes; go ahead.

Dr. PEREZ. The impact would be very negative. From our experience in New York State we believe that it would lead to the elimination of instruction in the native language in the various schools where there are choices to do this, and where the need does exist. However, not making these funds available, allowing these funds to be used for other purposes for instruction other than the native language does open the door for using the funds exclusively for instruction which is not in the native language and I think that is a very serious danger and it could lead to the elimination of bilingual education in the United States.

Mrs. BURTON. Thank you.

If you have a short question, Congressman Goodling, because I would like to get to Congressman Nielson.

Mr. GOODLING. Just merely to reiterate, "Keep it going for everyone" was the comment that you made and, in order to do that, we have to make some changes.

Mrs. BURTON. Congressman Nielson.

Mr. NIELSON. Wait a second. My mike doesn't seem to be working.

Mrs. BURTON. I guess they don't want you to speak because we are short of members on our side, the Democratic side.

Mr. NIELSON. My question is not a partisan question.

Mrs. BURTON. Good.

Mr. NIELSON. I was interested in your answer, Ms. Gamboa—you indicated that you didn't see any potential—that the potential wasn't there. Your statement on the bottom of page 2 which indicates that you like the flexibility, that it allows the bilingual and the immersion plus the English as a second language. Is that your feeling or is that just the feeling of the association?

Ms. GAMBOA. It's my feeling, too, because as director, I can see how impossible it is to implement TBE when we do not have the teachers and we do not have all of the components there.

Mr. NIELSON. Well, wouldn't it appear to be a flexibility that would be necessary in some instances where you have a multiplicity of languages and you can't possibly handle bilingual in each of the languages? Wouldn't that help, in most cases?

Ms. GAMBOA. Yes, that's what I said.

Mr. NIELSON. Dr. Tsang, in your statement on page 3, it says that, "The Act renders eligible for Federal support any program proposed by an LEA." Do you really believe that?

Dr. TSANG. From my interpretation of the bill, it sounds like it.

Mr. NIELSON. The bill only mentions those, which are specifically designed to improve English as an instructional language and that doesn't leave the field wide open, as you seem to imply, does it?

Dr. TSANG. Well, any creative writer can write a proposal to justify how good the program is.

Mr. NIELSON. Doesn't it have to be related to the teaching of things in English?

Dr. TSANG. Like I said, I write a lot of proposals myself and I can write almost anything to show that it's good for the kids.

Mr. NIELSON. Can you fool all of the local education associations, particularly if the LEP parents get involved, as you suggest, could you fool them?

Dr. TSANG. I have seen instances where that has been done.

Mr. NIELSON. Dr. Perez, you seem to feel this would hurt your program because some might offer the immersion program or the English as a second language and therefore not use the funds for bilingual. Is that your fear?

Dr. PEREZ. Well, first I need to clarify that the bilingual education program does include and must include an English as a second language component. That's an inherent aspect and component of a bilingual education program. I think——

Mr. NIELSON. Do you fear that some of the money may go to immersion-type programs and therefore might take away from your program?

Dr. PEREZ. It's so much easier not to provide a bilingual education——

Mr. NIELSON. That's not my question. My question is, do you fear that the immersion program may take some of the funds?

Dr. PEREZ. I fear that some of the funds may go into other types of programs that would not require instruction in the native language, yes, because—and I would like to say why—because it is so much easier to implement that type of program.

Mr. NIELSON. I would urge you to talk to the principal of Washington and Lee High School in Arlington and get his experience that the immersion program would have a multiplicity of languages because he was, as you are, thoroughly convinced that bilingual was the only approach. He finds now that in Arlington, Va., the immersion route gets much better results. So there are some—all I am saying is that the bill does provide some flexibility and if we can take care of Dr. Tsang's objection that perhaps it is too flexible, I think the flexibility should improve language instruction because not every school has the same problem.

Ms. Gamboa indicated that they do prefer to have a flexibility—the American Association of School Administrators does prefer the flexibility and, frankly, the results, in northern Virginia at least, indicate that the immersion program has worked very well. So I just wanted to throw that out, for what it's worth.

Mr. NIELSON. Madam Chairman, I think that's all the questions I have.

Mrs. BURTON. Thank you very much, Congressman Nielson.

This concludes the hearing today. There is another hearing on the same subject tomorrow at 9 a.m.

Thank you very much and thank you, witnesses, for being here.

Thank you.

[Whereupon, at 11:12 a.m., on Wednesday, August 3, 1983, the hearing was concluded.]

[Additional information follows:]

FOLSOM, CORDOVA UNIFIED SCHOOL DISTRICT,
Folsom, Calif., September 23, 1983.

Hon. ROBERT MATSUI,
Congressional Representative,
Sacramento, Calif.

DEAR CONGRESSMAN MATSUI: I am writing you to provide you with some specifics concerning the significant need for, and the services provided by, title VII funding in the Folsom Cordova Unified School District. Folsom Cordova Unified School District has been part of a five-district title VII consortium for the past 2 years, and we are entering the third and final year of this 3-year program.

Title VII has provided this district's staff with inservice, materials, and resources to increase our capacity to deal with students of *any* language background; the services have been basically targeted towards the staff working with students recently from Southeast Asia. These students make up about 95 percent of our Bilingual population and are approximately 5 percent of our total district population. In the past two years about 5 percent of the district staff have received intensive inservice training, either in ESL methodology, cultural factors, or both. In addition, 10 of 12 elementary school staff, special education staff, and speech and language staff, as well as PTA and other community groups, have been involved in at least one general introductory session on the cultural backgrounds of Southeast Asian students. Title VII funds reach an even larger group through the distribution of the Refugee Update. This is a monthly newsletter targeted towards staff working with Southeast Asian students, and highlighting issues of legislative funding, ESL methodology, cultural backgrounds and new materials and/or resource materials that are available. This newsletter is sent, by request, to other school districts in the Central Valley, to community workers, and Department of Education Offices. It is difficult to quantify the number of people whose capacity for dealing with speakers of other languages have been increased by the distribution of the newsletter; although about 600 issues are mailed each month.

There is, however, more that can be done. While the students enrolled in the majority of the grades in our schools are rapidly losing the need for special language services and materials, there is an increasing need at the Kindergarten, high school and adult levels. Also, the entering kindergartners, the only grade level to see a population increase, are entering school as U.S. citizens since they were born here, and are therefore ineligible for assistence through refugee assistence monies. However, their backgrounds are as exclusively Chinese (or Vietnamese or Hmong) as before. For the most part, the families live in culturally and linguistically isolated communities within our larger community, and the students have just as much to learn in the basic skills as did their older siblings who arrived in our schools directly from Vietnam or Laos.

As the initial problems of resettlement and acquisition of English are mastered, the schools are seeing more cases of students who may require special education services. Deafness and associated problems are more prevalent, and difficult to identify with current special education laws and testing materials. Title VII funds could increase the capacity of the special services staffs to identify and correctly place students with educational disabilities, and once identified, assist teaching staff with methods and materials for instruction and remediation (this has been done to a limited degree with current funding and four identified students).

The high school students and adults, who will produce the next generation of students for the schools, are a target group who receive very limited services, particularly those who are from a language background such as Hmong or Mien, with no generally known written language, and no resource materials, such as dictionaries, to begin teaching with. Current programs generally require literacy in some language, and minimal literacy in English, for enrollment, eliminating almost all of the Hmong and Mien adults, and those high school students who arrrived too late to acquire sufficient English literacy in school.

The approach taken by this district, for the most long-term and wide-spread effect from the limited title VII funding, has been to increase the capacity for staff and community to deal with the language and cultural barriers of any group of people who do not speak English. This is done by using the target groups of Vietnamese, Viet-Chinese, and Hmongs as the specific points of reference, but generalizing to speakers of any other language.

It is hoped that title VII funding will not decrease in the future. While other monies serve students directly, this source is one way to produce long term changes within the school structure that will benefit more students as each year comes and goes.

Your continued support of title VII is most appreciated.

Sincerely,

JAMES S. LOUGHRIDGE, Ed. D.,
Superintendent of Schools.

OPENING STATEMENT OF HON. CARL D. PERKINS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY, AND CHAIRMAN, COMMITTEE ON EDUCATION AND LABOR

The Subcommittee on Elementary, Secondary, and Vocational Education is continuing its series of hearings on H.R. 2682, the Bilingual Education Improvement Act of 1983, which was introduced by our colleagues Congressman Erlenborn and Congressman Goodling.

This morning we will hear testimony on H.R. 2682, which embodies the administration's proposal and calls for the elimination of the requirement for native language instruction; a 5-year limit on funding for any school district; and a reduction in the authorization from $139.9 million to $94.5 million.

HEARINGS ON THE BILINGUAL EDUCATION IMPROVEMENT ACT OF 1983

THURSDAY, AUGUST 4, 1983

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to call, at 9:05 a.m., in room 2175, Rayburn House Office Building, Hon. Baltasar Corrada presiding.

Members present: Representatives Corrada, Martinez, Burton of California, Goodling, Packard, Gunderson, Bartlett, and Nielson of Utah.

Members also present: Representative Owens.

Staff present: John F. Jennings, counsel; Nancy L. Kober, legislative specialist; John W. Smith, senior professional assistant; Mary K. O'Hara, clerk; Electra Beahler, minority education counsel, and Richard D. DiEugenio, minority senior legislative associate.

Mr. CORRADA. Good morning. The subcommittee will come to order.

The Subcommittee on Elementary, Secondary, and Vocational Education is continuing its series of hearings on H.R. 2682, the Bilingual Education Improvement Act of 1983, which was introduced by our colleagues Congressman John Erlenborn and Congressman Bill Goodling on behalf of the administration.

This morning we will hear testimony on H.R. 2682 which embodies the administration proposal and calls for the elimination of the requirement for native language instruction; proposes a 5-year limit on funding for any school district; and proposes a reduction in the authorization of funds for bilingual education from $139.9 to $94.5 million.

In today's hearings we have the particular pleasure of having with us a distinguished Member of Congress, the Honorable Manuel Lujan, Jr., Member of Congress from the State of New Mexico.

We welcome you, Manny, and we are very pleased to have you here this morning and, of course, to listen to testimony. The full text of your written testimony will be made a part of the record and you may proceed as you may wish.

[Prepared statement of Congressman Manuel Lujan follows:]

PREPARED STATEMENT OF HON. MANUEL LUJAN, JR., A REPRESENTATIVE IN CONGRESS

Mr. Chairman, I do not appear before this committee today as an expert in bilingual education. However, some of my insight may be helpful to you as you consider this subject.

While I am not an expert on bilingual education, on reflection, I suppose that I am a product of bilingual education. The State of New Mexico has always been a tri-cultural State. The three cultures of Indian, Hispanic and Anglo have existed intertwined with each other since long before statehood in 1912. The Spanish language is spoken in New Mexico by nearly half of our population. It is spoken in homes, churches, on the playgrounds and every official publication of our State is bilingual. While we treasure and value the knowledge and use of the Spanish language, we also promote the fluency of each of our citizens in the English language.

As students in school, those of us with a Spanish background were not permitted to speak Spanish in the classroom or we got into trouble with the teachers. Most of the teachers could speak Spanish, but to make us learn English and to learn it correctly, we were required to speak English while at school.

As a result of my experience and of my classmates, I feel that our priority should be for school children to learn English. The role of the teacher should only be to give the students a helping hand when required.

New Mexico has been a leader in bilingual educational programs. Currently there are two programs to integrate Spanish-speaking children into proficiency in English. The first is a transitional program which has been developed in some districts using the students' native language for instructions while and until the students learn sufficient English so that they can function in the English language.

Secondly, there is a maintenance program developed in some districts with the emphasis of developing the students' linguistic and cultural abilities in both English and the students' native language. I feel that both of these programs have merit and have produced good results.

Bilingual education funds are limited. The States have been willing to fund programs such as transitional and maintenance programs. It would be wrong to dilute Federal bilingual education funds by bringing these programs under Federal funding. If the need is greater than the States can carry, then look at establishing separate programs, but don't rob bilingual education to pay traditional State programs.

I realize that New Mexico may be in a slightly different situation than other States. For example, we have a ratio of Hispanic students to teachers of 58 to 1, while the average in the Southwest is 120 to 1. 20.5% of our school principals are Hispanic, which is considerably higher than surrounding States.

Nevertheless, I feel that it is particularly important in this period of tight budgets that we do not spread our resources any thinner than they are right now. Also that we continue to make the priority of our programs to teach school children the English language.

To my knowledge, we are the only State in the Union that has a State constitution which mandates such training. Article XII, section 8 of our State constitution reads as follows:

"The legislature shall provide for the training or teachers in the normal schools or otherwise so that they may become proficient in both the English and Spanish language, to qualify them to teach Spanish speaking pupils and students in the public schools and educational institutions of the State, and shall provide proper means and methods to facilitate the teaching of the English language and other branches of learning to such pupils and students."

We are doing that in New Mexico. And so my insight to this committee is the old political adage, "If it ain't broke . . . Don't fix it." Although I must state that my parents and my teachers told me never to say "ain't" in English or Spanish.

STATEMENT OF HON. MANUEL LUJAN, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW MEXICO

Mr. LUJAN. Thank you, Mr. Chairman, and members of the committee.

I do not appear before this committee today as an expert in bilingual education. However, perhaps some of my insights may be helpful to you as you consider this subject.

While I am not an expert on bilingual education, on reflection, I suppose that I am a product of bilingual education. The State of

New Mexico has always been a tricultural State. The three cultures of Indian, Hispanic and Anglo have existed intertwined with each other since long before statehood in 1912.

The Spanish language is spoken in New Mexico by nearly half of our population, and there are several dialects of the Indian language. Spanish is spoken in homes, churches, on the playgrounds, and official publications of our State is bilingual.

While we treasure and value the knowledge of the Spanish language, we also promote the fluency of each of our citizens in the English language.

As students in school, those of us with a Spanish background were not permitted to speak Spanish in the classroom or we got into trouble with the teachers, Mr. Chairman. But most of the teachers could speak Spanish, but to make us learn English and learn it correctly, we were required to speak only English at school.

As a result of my experience and that of my classmates, I feel that our priority should be for school children to learn English. That should be the priority. The role of the teacher should only be to give the students a helping hand when required.

My own State of New Mexico, Mr. Chairman, has been a leader in bilingual education programs. There are currently two programs to integrate Spanish-speaking children into proficiency in English. The first is a transitional program which has been developed in some districts using the students' native language for instruction while and until the students learn sufficient English so that they can function in the English language.

Second, there is a maintenance program developed in some districts with the emphasis of developing the students' linguistic and cultural abilities in both English and the students' native language.

I feel that these programs have merit and have produced results, Mr. Chairman.

Bilingual education funds are limited. The States have been willing to fund programs such as transitional and maintenance programs, which I have mentioned. It would be wrong to dilute Federal bilingual education funds by bringing these programs in under Federal funding.

If the need is greater than the States can carry, then look at establishing separate programs, but don't rob the bilingual education to pay for the traditional State programs.

I realize that my home State of New Mexico may be in a slightly different situation than other States. For example, we have a ratio of Hispanic students to teachers of 58 to 1, while the average in the Southwest is 120 to 1. The percentage of our school principals that are Hispanic is 20.5, which is considerably higher than the surrounding States.

Nevertheless, I feel that it is particularly important in this period of tight budgets that we do not spread our resources any thinner than they are now. Also, that we continue to make the priority of our programs to teach schoolchildren the English language.

To my knowledge, we are the only State in the Union that has a State constitution which mandates such training. Article XII, section 8, of our State constitution reads as follows:

The Legislature shall provide for the training or teachers in the normal schools or otherwise so that they may become proficient in both the English and Spanish language, to qualify them to teach Spanish-speaking pupils and students in the public schools and educational institutions of the State.

Further, quoting from the constitution:

* * * shall provide proper means and methods to facilitate the teaching of the English language and other branches of learning to such pupils and students.

We are doing that in New Mexico. And so my insight to this committee is the old adage, Mr. Chairman, "If it ain't broke, don't fix it." Although I must admit to you that my parents and teachers always told me never to use "ain't" in either English or Spanish.

Thank you, Mr. Chairman.

Mr. CORRADA. Thank you, our colleague, the gentleman from New Mexico, Member Lujan. We really appreciate very much your interest in the subject matter that this subcommittee is addressing and, of course, the vast experience that you have had personally as well as in your official capacity concerning the bilingual education programs in your own State.

I wonder if you have any specific views concerning the level of funding? As you know, currently under the current fiscal year 1983 appropriations, Congress has appropriated $139.9 million for bilingual education programs under title VII and the bill that has been introduced and is under the consideration of this subcommittee would reduce that funding to $94 million.

I have frequently heard figures that at the current level of funding we are barely reaching about only 10 percent of the targeted population, that is, children in the country that have limited English proficiency and, therefore, would appear to benefit from programs such as the bilingual education program. So they would like to know if our distinguished colleague believes that the amount of Federal funding currently available is excessive under the circumstances and if you feel that under the circumstances a reduction of such magnitude appears to be desirable.

Mr. LUJAN. Mr. Chairman, I guess maybe that is the whole point of my testimony this morning. I don't feel that that figure is excessive in that being that the way the basic bilingual education program, the Federal part of it, should be is that the priority is to teach that child the English language. I think we ought to concentrate those moneys that we have in that priority.

Now, the States are willing, as I said, to fund the transitional and maintenance programs and those others so that the purpose of my testimony is to ask the committee not to dilute the basic bilingual program by adding these others as long as the States are willing to do it. We have those same programs in our State but those are funded by the State and I am happy to let the State fund those and not dip in into the $139 million that you are talking about in order to fund these other programs.

Mr. CORRADA. I am sure that you are probably aware that there are other States in the country where the Hispanic population is not as large as that of the State of New Mexico nor do they have the kind of political clout precisely because of the population that they represent out of the total State population where the availability of these funds by the State is limited.

Do you consider under those circumstances that it would be an appropriate role for the Federal Government to provide some resources so that children in those States also may have available these programs which, as you know, are of a competitive nature? These funds are provided to local educational agencies on the basis of proposals for competitive grants on the basis of need that there may exist in the school districts for this kind of education.

Do you think that there is a proper role for the Federal Government in helping and assisting the States in providing bilingual education?

Mr. LUJAN. For those other programs, are you talking about? For the other, like transitional or maintenance, or the basic?

Mr. CORRADA. The transitional, yes.

Mr. LUJAN. I am satisfied. As the committee knows, with all the problems we have in the total budget, that I am not one that is going to sit here and say, well, we ought to put more money and more money into that.

I am saying the States are willing to take that share, then let them continue to do so and not dip into these bilingual funds.

I might make a point, however, that each State has a different problem. In New Mexico we not only have the Spanish speaking, we have various dialects of the Indian language. So you have to mold the programs to fit that.

In this area, I would imagine that it would be more diverse than that. We are not just talking about Spanish-speaking programs. You know, all of the different cultures that you have in this general area, Virginia, Maryland, and the District of Columbia, ought to be able to mold their own programs, but continue to pay for them as they are doing right now.

Mr. CORRADA. I thank the gentleman for his testimony and particularly for his dedication and interest in the improvement of educational opportunities for American children.

I will now yield to Mr. Nielson.

Mr. NIELSON. Congressman, as you know, the bill calls for allowing the State to arrange their language program any way they want to: bilingual or emersion or ESL and so on.

Is it your view that this is a wise item? You indicate in New Mexico that they would probably use it entirely for bilingual and use the State programs for the other methods. Do you think that is good to have each State have its own option, or do you think that is too flexible?

Mr. LUJAN. No; I think it is good to have its own option because of the diversities that I was talking about. But I guess my whole point is that if you could have everything in the world that you wanted, then you would, not only the States but the Federal Government, would put in more money and have all the diversity that you possibly could.

What I am saying at this point, and I guess the whole purpose of my testimony, is that the bilingual program as I see it with the priority to teach English, that those funds are limited enough without getting into the Federal pocket to fund these transitional, maintenance, emersion, and all of those.

Mr. NIELSON. I am not sure I understood your answer to the chairman's question. Do you favor the funding decrease from 139 to 94.5?

Mr. LUJAN. No; I don't.

Mr. NIELSON. You would keep it at 139.9 or somewhere thereabouts?

Mr. LUJAN. Yes; I would.

Mr. NIELSON. Those are the only questions I have, Mr. Chairman.

Mr. CORRADA. Thank you, Mr. Nielson.

We will yield now to Mrs. Burton.

Mrs. BURTON. Congressman Lujan, forgetting money, and that seems to be the thing that we are all zeroing in on, do you have any suggestions on how to improve bilingual education, because there are detractors of bilingual education? And are there any special things—because you know, and I know, what it is to know another language, or come from a family that speaks another language—can you give us some feeling and suggestions of what we can do to improve bilingual education?

Mr. LUJAN. I think all of the programs that exist now in some way or another help. Let me give you an example of the total immersion in the language.

I attended school primarily with the Christian Brothers and since the Christian Brothers have schools all over the world, one of the things, particularly once we got to the college level that they would do—parents would send kids from Mexico, from Latin America, from the Philippines, you know, wherever, who would speak only Spanish, for the purpose of learning English. That was their primary area.

The brothers would always tell us, look, don't you guys talk Spanish to these guys at all. If they go to the cafeteria and they can't order a piece of bread in English, then they don't get any bread. And they learned the language within 6 months, or the school year, 9 months—they were speaking it proficiently.

I don't believe that that quite works for a 5- or 6-year-old, 7-year-old, starting school. It probably would for somebody in high school that came in. So that in that instance that particular program is good.

I suppose if I were to structure the whole bilingual program I would begin at the very kindergarten level and have someone who understood both languages, the student's native language and English, and really concentrate on that child to learn the English language. And whenever the child would stumble in language, the teacher would pick him up and help him over that, but then continue to speak English.

I suppose that is what is commonly called the transitional program.

I suppose that is how I would structure the whole program. I would begin as early as I possibly could.

Mrs. BURTON. I agree with beginning early. Thank you.

Mr. CORRADA. Thank you, Congresswoman Burton.

Mr. Gunderson?

Mr. GUNDERSON. Thank you, Mr. Chairman.

I want to commend my colleague for his statement.

One quick question that hasn't been asked and that is the question on time limits for Federal funding. We have been talking mainly about a 5-year Federal reimbursement in a bilingual program.

Do you think it ought to be longer, shorter, or 5 years. Any idea of how long you think there is a need for Federal assistance in a bilingual program?

Mr. LUJAN. I think it will always exist because of the situation that we have of people coming in all the time. I am never bothered particularly whether it is a 3-year program, or a 5-year program, because we are going to extend it when the time comes.

I have been here 15 years and I don't know of a program that we haven't extended. Everybody always talks about making it longer so everybody can do more planning.

Mr. GUNDERSON. I am referring more to the number of years we reimburse a school for their programs. Should there be any kind of limits on that? Should we, for example, give a school bilingual funds for, say, 5 years as a capacity building to establish a program, then let them take it from there, or should there be a formula which continues to provide assistance to each school based on the number of students in a bilingual program?

Mr. LUJAN. I think to continue to fund them on the basis of the number of students. You take this area, for example, look at the influx in Virginia. We can't just say those students that are there now, once we get them proficient in the English language that would be nice, we will say, OK, we will cut them off, and that's it—because other students are going to be coming in that need that same thing.

So to answer your question, I suppose for—well, I don't know, there are two ways of looking at it. One way if you put it for the 5-year thing and guarantee that amount for the full 5-year timeframe, you have not as much flexibility. The shorter time, I suppose you have more flexibility to look at the ratios of the number of students there that need the help.

I really don't know how to answer you because—and maybe I am not understanding your question. But I suppose the authorization could be as long as it can get.

Mr. GUNDERSON. I am not referring to the authorization. I was just referring to whether it would be a one-time funding or whether you think it ought to be an ongoing funding based on the number of students. I think you have discussed that aspect of it.

Mr. LUJAN. I would leave that pretty much to whoever is administering the program. I would imagine in the case of small children that you could not expect them in the first year to be able to become proficient in the English language. Maybe it would take a couple or 3 years for them to do that.

I would say just leave it to the administration to work with those districts and see how the program is going. I am really not very familiar how much oversight the Department of Education, for example, has on each program on down the line.

Mr. GUNDERSON. OK. Thank you, Mr. Chairman.

Mr. CORRADA. Thank you, Mr. Gunderson.

Mr. Packard?

Mr. PACKARD. Thank you, Mr. Chairman.

Mr. Lujan, we appreciate your being here and testifying. Your experience in the bilingual area dealing with particularly the Spanish-speaking people are similar to mine from the San Diego area. We have a high concentration of that group.

There are some school districts that have literally dozens, and in some cases perhaps over 100 different languages, that would qualify for bilingual funding. In those school districts where they have much more than one or two primary native languages to deal with, how do you think they ought to proceed? Now, of course, in the State of New Mexico and the southern part of California we can concentrate on Spanish as the primary native language that we must deal with.

Do you believe in dealing with all of these languages that English ought to be the primary thrust or that the native languages ought to be the primary thrust?

Mr. LUJAN. Oh, no, the English ought to be the primary thrust. That ought to be the priority regardless of what the first language is.

And you are right, we have a little easier situation because we just have, you know, a few dialects in Indian and then the bulk of it is in Spanish speaking. But even there we are beginning to get a lot of Vietnamese that are coming in as they are all over the country. As I say, I don't speak as an expert on bilingual education so I don't know but it is my impression that more and more we are getting other languages that we have to work on.

My basic belief is that regardless of what the native language is, is that proficiency in English has got to be the No. 1 priority because that is the way we are going to have to function in the business, or political, or social world. That has to be the number one priority: proficiency in English.

Mr. PACKARD. I certainly agree with you there. I disagree with you on one point that you have made and that is that the younger the child, the more length of time it takes for him to learn. My experience has been that it is the young child who learns very quickly; within a matter of weeks they can often speak better than some of our high school students—that come out of Mexico or out of foreign countries, they sometimes, either because of a mental block or other reasons, just don't seem to let go and learn.

So my experience has been that kindergarten children learn within a matter of a couple of weeks to communicate with each other. They may not be proficient, as you indicated, it may take a year or more to become proficient in a language but even our own kindergarten children aren't proficient in the English language for maybe a year or two, or more.

I think the earlier we can get to them and get them not away from their native language but certainly acclimated to English, and teach them to learn in English, then is when we have the benefit of the program.

Mr. LUJAN. I think you are right. I keep emphasizing that I am not an expert on bilingual education by any means, I was only referring to at least what my experience is, these college students that would come and within 6 or 9 months they would be learning because they were there in an area where nobody would speak Spanish to them.

This little child is going to go to school and then he is going to go back into his neighborhood.

Mr. PACKARD. My wife and I sponsored a Vietnamese family back when the boat people were having to come here and they had a kindergarten child—and had obviously no qualified teachers in the Vietnamese language as we do in Spanish which was a revelation to me because all of a sudden we saw a whole new native language to deal with.

We had been struggling with the bilingual program in our school system and we were concentrating on Spanish. Then all of a sudden we had a few students coming with a different native language. We had no teachers that could teach them in their native language and those children—that one that was in our home, within 2 weeks was speaking rather fluent English and had no English experience before.

I find that gave me a new insight to the effectiveness of the bilingual program. We teach in the native language often and they continue to learn in the native language and it isn't until we can get them to learn and think and study in English that they really become acclimated to what we are looking for and what the objectives are of the program.

Thank you.

Mr. CORRADA. Thank you, Mr. Packard.

I now yield to one of the cosponsors of the legislation and ranking member of the subcommittee, Mr. Goodling.

Mr. GOODLING. Thank you, Mr. Chairman. Good to have you with us this morning.

There are several things that I might mention. First of all, money is not the issue. That is up to the Appropriations Committee, as you know. At one time we authorized this bill as high as $400 million, but approximately $150 million was appropriated, so money is a flexible thing.

Mr. CORRADA. Will the gentleman yield?

Money is not an issue. Of course, if we authorize only $94 million then, obviously, the Appropriations Committee cannot apropriate beyond that.

I hope that the gentleman means what he says and will be willing to accommodate our concerns concerning——

Mr. GOODLING. As I indicated yesterday——

Mr. CORRADA [continuing]. The authorizing amount.

Mr. GOODLING [continuing]. The amount of money is flexible. It happens to be a figure that comes from the administration. So the amount of money is flexible. The amount of money that gets appropriated, I believe, is one of the disservices that we do to the public all the time. We hand out authorizing legislation with various price tags attached and we know that the money is never going to be appropriated.

I think that is a real disservice. We just build up and whet the appetite of people who don't understand the appropriation process.

Second, the money has always been a competitive grant. It is not based on how many pupils you have nor on any other variable. It is a competitive grant which comes directly from the Federal Government and is received by the local school district. The State is not

involved. So the legislation is, as I indicated yesterday, flexible in many ways.

I believe that Professor Javits' statement on bilingual education contains the one thing that is not flexible. Speaking for the 20th Century Fund who did one of the studies, he says:

> In our view it is wrong for the Federal Government to require any particular method or pedagogy. Never in the history of Federal local relations has a particular teaching method been imposed by Congress in the courts on local school districts. Each district should decide for itself what method is best suited to helping children achieve fluency in English and it should be acceptable within a district or even a single school to offer several different methods without losing Federal funds.

The reason that some of us are supporting some form of this legislation is that cities such as Chicago, who are about as financially strapped as you can be, and who have 100 different languages, find it impossible to get Federal financial aid under the present legislation. How would you find the certified teachers that would be approved by the unions to teach these hundred different languages?

They might be able to get a grant for those who are Spanish speaking but there would be many other areas for which they simply couldn't receive aid because they would not have certified qualified teachers to teach the native language.

That is what we are trying to circumvent. We don't want to serve some youngsters and not have any opportunity for other youngsters to participate in any kind of Federal program.

I was wondering what your thought was in relationship to Professor Javits' statement?

Mr. LUJAN. Well, the professor is correct in basic philosophy. I have that basic philosophy that you don't dictate to the States what the method of teaching is but that does not obligate you to give money—you are not dictating to the States when you say, we will give you money for this; we will give you money for Federal highways, we will say. But we won't give you money for city streets. If you want to fix your city streets then you fix them. We will give you money for this.

What I am saying is that a program that I believe works—and that is my own idea, each one would have a little different idea—a program that I believe works is that that child be made proficient in the English language and just help him a little bit to get on that.

Those other programs—if school administrators in my own State of New Mexico believe that those other programs are the way to go, then, you know, let them vote for funding. I am going to vote for this other way of doing it. They are not wrong. We have one school district in Albuquerque—not school district, the San Jose Elementary School, and Mr. Romero was the principal there, and started off by having part of the lessons in English, part of the lessons in Spanish. And everybody spoke both languages, and that was great. You know, that is just super. I wish we could do that with eight different languages with everyone but if you do all of those things, you are going to use the money that I see as leading toward the proficiency in the English language to fund these other programs and there won't be enough for this program as I see it.

I don't deny them the right. By my vote to fund only for this particular type of program, I don't deny them the right to structure their own education program.

Mr. GOODLING. As I indicated, gaining proficiency in the English language is what it is all about.

Mr. LUJAN. Exactly.

Mr. GOODLING. As I pointed out, for a city such as Chicago, there is no place where they are going to go get money if they cannot participate in the grant system and therefore, an awful lot of youngsters won't get the opportunities that some other youngster may in an area where you have a concentration, for instance, of the Spanish language.

I asked three witnesses yesterday who were testifying, if some form of this legislation were passed, how would it change their methodology? How would it change their method of teaching? And, of course, all three had to indicate it wouldn't change it at all.

Mr. LUJAN. We are not talking about changing the methodology of teaching. We are just talking about who is going to pay for it. I guess that's basic.

Mr. GOODLING. And we are talking about who can participate in the program. As I indicated, the current structure is geared toward Spanish or something of that nature, but you don't always have those, as in the case of Chicago, those other 100 different languages are being taught by anybody with a certificate that is approved by, for instance, the State of Illinois in that case.

I thank you very much for testifying before us.

Mr. LUJAN. Thank you.

Mr. CORRADA. I thank the gentleman and I would like to state that it is true that there are differences of opinion concerning which is the best way to train a limited English proficiency student, how to become proficient in English. Frequently I have heard some who say that there is no basis to claim that there is any effectiveness in transitional bilingual education and some people even say that there are no reports that justify or show that transitional bilingual education is an effective method of teaching a limited English proficient student English.

But I would like the record to show that one of the most quoted of recent research on bilingual education is a 1981 review of national and local evaluations performed by the Department of Education by Keith Baker and Adriana Dekanter titled "Effectiveness of Bilingual Education: A Review of the Literature."

Now that Baker/Dekanter review is often misinterpreted to suggest that such English only approaches as immersion or English as a second language are superior to transitional bilingual education.

The Baker/Dekanter study analyzed some 150 evaluation reports on programs for limited English proficient children and found 28 studies that met their criteria for relevance and technical quality. Of these 28, 25 involved transitional bilingual education evaluation studies comparing the transitional bilingual education with other approaches for teaching English.

There were also analyses that compared children on achievement in mathematics and what Baker/Dekanter actually found was that 11 out of 25, or almost half of the evaluation studies, when compar-

ing transitional bilingual education and other approaches favored bilingual programs as a strategy for teaching English.

So when we talk about bilingual education programs we are not talking about anything else but a method to allow a limited English proficient student to learn English as fast as possible. What we are saying is that some people say, well, immersion may be better, sure, you can teach a child how to swim if you throw him in the middle of the pool, and either he swims or will be immersed. And that kind of immersion we know can be very, very effective in getting a kid to know how to swim. Is that what we want to do to our limited English proficient students? Tell them, OK, now we will immerse you in this pool of English so that you either learn or drop out. And many drop out. And many stay behind. And many feel embarrassed. And many feel shattered in their own self-esteem and self-image.

Now, this study says that when comparing the different approaches in teaching limited English proficient children with transitional bilingual education approaches the evidence favoring bilingual instruction of other approaches were more consistently significant and favorable across a range of studies than was the evidence of any other single strategy.

This is a study by the U.S. Department of Education, Baker/Dekanter, and I think that often we hear critics of bilingual education say, well, what is the effectiveness? What have we done?

I wanted to quote from this report because, again, it shows that it certainly can be an efficient method if properly implemented.

Mr. GOODLING. Would the gentleman yield?

Mr. CORRADA. I surely will yield.

Mr. GOODLING. The Baker report, of course, also indicates that there isn't any specific method that is any better than any other method. But we are missing the point. The point has nothing to do with how effective bilingual education is or is not. The point is that the areas where such as Chicago, such as Fairfax, although they have a little bit more money to deal with on their own; where they have 80 to 100 different languages. You have to give them some flexibility to handle their problem and still be able to come to the Federal Government to be involved in a grant program when we know that it is obvious there is no way they can come to this program at the present time; that there is nowhere they can get a certified teacher to teach the many different languages.

I think we have a tendency to zero in on Spanish an awful lot and I can understand that. But our problems have become so much more complex in the last 15 or 20 years with the many different languages that we are now dealing with and there just aren't certified people.

Now, do we deny all the other youngsters the opportunity to participate in this grant program simply because—it is not their fault, there aren't any certified teachers out there to teach the program. Therefore, how are they going to teach it in the youngster's native language? They are going to have to come up with a different program in order to make that transition because they don't speak those languages: tribal languages, or whatever languages.

Mr. LUJAN. Mr. Chairman, we had an example over in our Interior Committee where we deal in Indian health, about the same

kind of a decision that someone must make that Mr. Goodling is talking about.

We had a little girl in Santa Fe Hospital who was very, very ill, to the point of dying. They had already spent something like $68,000 on this child, and the prognosis was not very good. The Director of the Indian Health Service had to make the decision one way or the other, are we going to continue the treatment for this girl and deny others where there is more need; if we are going to spend $300,000 or $400,000 on this little girl or do we just cut it right here?

That is a tough decision to make. It is a lot tougher, perhaps than the bilingual education decision to make. Rightly or wrongly, he made the decision that we cannot continue to fund for this anymore because if we do that, we cannot provide the services to someone else. Maybe that is what we need to do here. Maybe we need to say, all right, we take care of the biggest need within our resources.

Mr. CORRADA. Reclaiming my time, let me say that, first, the Federal Government provides billions of dollars for education, such programs as chapter I, educational funds for economically disadvantaged students, special education, and many others.

We are only providing $139 million for these bilingual education programs and as was said before, it is competitive in nature. Now, most of the resources for education in our country come from local resouces, of the local level.

I don't see how anyone in the world could say that we are trying to impose upon any school district any specific method for teaching children with limited English proficiency when we simply make available to those districts $139 million for the entire country and say those of you who want to compete for these grants will have to use some degree of native language instruction.

We don't even specify to what extent the native language instruction will be. It isn't said that *x* percentage of the instruction will be in the native language but that some native language instruction will be provided.

So, it seems to me kind of farfetched to say that simply because this type of program is allowed, that here comes Uncle Sam at the Federal level trying to impose on any school district a specific method of instruction for any children, it would seem to me.

Mr. GOODLING. Would the gentleman yield?

Mr. CORRADA. I surely will yield.

Mr. LUJAN. I feel like I am caught in between something.

Mr. GOODLING. We are not saying that the Federal Government is imposing—the Federal Government is denying any grants to anyone who cannot teach in the native language. Therefore, an awful lot of students out there are being denied the opportunity to participate in these programs simply because, as I indicated, where do you get the certified teacher when you have 100 different languages staring you in the face to do that kind of thing?

So they should be encouraged to come up with the very best method other than transitional bilingual education if that is the most effective way of teaching such children.

All we are trying to do is provide some flexibility so that for example the city of Chicago, can, as a matter of fact, compete in

grants. Maybe they won't win any of the grants. It is a competitive kind of thing. They may not be able to write a program that would satisfy the requirements. But at least they could compete and those who are doing well in their transitional languages or whatever they are doing, would continue, and probably would get most of the grants because of the kind of programs they have organized. But at least we give a little flexibility to those districts to handle the problem.

Mr. CORRADA. Again, we thank Congressman Lujan for his presentation and the time devoted to this hearing and your views have been very informative, I am sure, very productive in terms of our assessing this bill.

Thank you very much.

The full Education and Labor Committee has a markup session scheduled—it was supposed to start at 9:30, so we have one more witness today. What we will do is that we will recess for this markup session which should not take very long, and then after the markup session of the full committee is over we will resume our hearings this morning.

So the subcommittee stands in recess.

[Recess.]

Mr. CORRADA. We will resume the hearing of the Subcommittee on Elementary, Secondary, and Vocational Education on H.R. 2682, Bilingual Education Improvement Act.

Our next witness today will be Mr. William Gollnick, principal, Oneida Tribal Group School in Wisconsin.

Mr. Gollnick, will you please come forward?

We welcome you to the hearing this morning. We appreciate very much, of course, your appearing before us. Your full written testimony will be made part of the record and you may proceed as you may wish.

[Prepared statement of William Gollnick follows:]

PREPARED STATEMENT OF WILLIAM GOLLNICK, ADMINISTRATOR, ONEIDA TRIBAL SCHOOL, WISCONSIN

Mr. Chairman and honored members of the committee: My name is William Gollnick, and I am Administrator of the Oneida Tribal School. This school is a tribally-controlled contract school located on the Oneida reservation in Wisconsin. I have traveled here to express my fervent hope that you will act to sustain Title VII in its present form with sufficient funding to ensure its continued viability.

I stand before you today as a most fortunate person. I am not rich, not famous, not powerful. I am fortunate because I know who I am. I know that I am Wolf Clan—because my mother was Wolf Clan, and her mother before her and her's before her. I am fortunate because I can still hear our language spoken among our people. Our ceremonies, given to us by the Creator are still performed, as they must be, and our cultural knowledge is yet retained.

While my voice is but one, and I cannot hope to speak on behalf of the interests of all Indian people, I do know that I speak for the concerns of many. In many ways I am speaking for the generations of Indian people who may never know their languages because the policies now proposed in H.R. 2682 will defacto exclude them from the schools. In our traditions, we are responsible for those seven generations after. I am here today to do what I can to ensure that my progeny will be secured in our language.

There are many aspects of H.R. 2682 which are cause for concern, viz., the removal of tribal eligibility for direct applications for assistance, which increases state responsibility and infringes upon the federal-tribal relationships which exist in treaty, legislation, and jurisprudence.

There are concerns which grow from the emphasis on capacity building at a time when most school budgets are significantly declining. There are concerns relative to the removal of the "mandate to spend" requirements, and the resulting potential loss of funds. There is concern that requirements relating to the inclusion of bilingual staff are eliminated through H.R. 2682. While all of the above proposed revisions are deleterious in our view, and we oppose them catagorically, this testimony places special emphasis upon the removal of required language involvement in the process of bilingual instruction and some thoughts about the reduction of financial support of this most necessary program.

Sec. 2(a) Section 702(a), subsections (3) and (4) as revised in H.R. 2682 (page 2, lines 12 through 18), clearly state that Limited English Proficiency students "* * * have educational needs that can be met through programs of bilingual education (and) that no one educational technique or method for educating children of limited English proficiency through programs of bilingual education has been proven uniformly effective."

The above quotation speaks to two very important issues: (1) There is recognition that students' needs can be met through bilingual education. One must presume that that is based upon a track record, a track record established by the program as it now exists—including native language instruction. (2) The fact that there is not uniform effectiveness, again does not dismiss the fact that Title VII is effective.

I submit that by removing the required use of native languages, a key element will be gone from the educational process which led to Title VII's effectiveness. Many schools may well dismiss native language instruction if it is not required, and thereby reduce their resources to successfully instruct the children. Students may be relegated to the "more of the same" philosophy which engendered Title VII initially. The de facto result of H.R. 2682 may well be a preponderance of monolingual programs for bilingual students—a clear retreat from the original intent of the legislation.

From an Indian perspective, H.R. 2682 moves ever closer to the eighteenth, nineteenth, and earlier twentieth century governmental policies encouraging Indian disenfranchisement of traditional cultures through denial of native language usage. While the intent of Title VII is not cultural preservation, and H.R. 2682 (Section 703(a)(4)(A)(II)) (Page 4, lines 22, 23) assures "appreciation for the cultural heritage of such children", Title VII, as it now exists, allows recognition of the impact that traditional languages have upon the success (or lack thereof) of Indian students. The Indian student with any command of his or her language not only speaks differently, he or she thinks differently: patterns of thinking and speaking are framed by internalized boundaries which can be very different from those established by the English language. To deny those differences can be devastating to the students whose out-of-school reality may be different or contradictory.

I urge the Committee to recall the reasons that the federal government first became involved in the process of education for bilingual children. Although it is clear that much growth has been achieved during the sixty years since *Meyer* v. *Nebraska*, since the racial turmoil of the 1960's, and the near decade since the Lau decision, I still must question whether the local or state authorities will be responsive to the concerns of parents of bilingual students and the students themselves during times of economic and political pressure? Local control means that the decisions affecting minorities (represented or unrepresented) will be solely at the mercy of the local majorities. Mr. Justice Douglas, in the dicta of the Lau case stated that:

"Under these state-imposed standards there is no equality of treatment merely by providing students with the same facilities, text books, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education."

It is not only those who cannot speak English who are negatively affected in the classroom, numerous educators have spoken to the impact of language and cultural interference. Further, there are many who exist in an anomic state, neither proficient in their own languages nor proficient in English. For them, H.R. 2682 means dismissing who they are for the sake of their becoming academically "successful." Is academic success worth cultural deprivation? In the case of Indian people, can the annihilation of whole cultures be justified in the name of education, mainstreaming, local control or academic success?

It must be clear that the proposed revisions in Title VII present serious problems for the Native American communities. If the languages are not used as a medium for instruction, what "appreciation of the cultural heritage of (Indian) children" will be viably integrated in the schools? What within the school environment will help them grow within the two, five, or even ten worlds in which they live? How will they deal with the school administrator who says, "My Indian students aren't any

different from any other students." What will preclude the "more of the same instruction" that nearly stripped us of our cultures?

Has America not yet realized that to try to make everyone the same may not be in the best interests of the people or the country? By subjecting a student to a system that only recognizes his or her differences as something that must be overcome, the student has two options: 1. He or she may acquiesce and potentially become alienated by his or her own people while, all too often, not being accepted by the majority, or 2. He or she may resist. To resist may mean to experience failure in the academic system, but also to enhance the likelihood of peer acceptance within a large segment of the Indian community. Is it not better to include within the process of education, a tangible recognition of the student's reality, something that can allow the student to relate and achieve a harmonious educational experience—balancing the student's needs for social as well as academic growth?

Beyond the individual, what is the likely contribution of these students to the American mainstream? Will the student likely be a successful member of society if he or she has been turned off in the early stages of educational development? Can we at this date assure Indian students that they will not encounter prejudice, that they will be equally employable if they get degrees? Can we say that they will not need cultural support or need to be concerned about their cultures which may now be moribund? Are we certain that all of the answers to America's problems are contained within that which is taught in the process of American education; other cultural perspectives have nothing to contribute?

Honored members of the Committee, I submit that this step toward federal divestiture of bilingual education is tentamount to retreating from America's responsibility to ensure quality education, it will be wasting the contributions that could be obtained from those whose educational opportunities were not presented in an understandable tongue, it will condone, by an act of indifference, the actions of state and local leaders whose priorities lean more toward the majority in tight economic times, it could well mean a giant historical step backward in the educational continuum. Worst of all, it is happening at a time when education is more critical than at any time in history.

Review of the proposed changes in the legislation indicates that not only funding be reduced, but a five year cap will be implemented. Are we to infer that five years of reduced funding will provide sufficient time and resources to revise and internalize whatever systems are to be implemented? How will these "bilingual programs"—Potentially developed without a second language—be different from regular instruction? With Indian concerns largely excluded from the legislation as proposed (e.g. smaller tribal languages currently used as media for instruction will be particularly vulnerable) how will their particular needs be met?

Looking at the original title VII legislation, recognizing the magnitude of the need that was then understood, looking at the authorized appropriations that were intended to meet this country's bilingual needs: all led me to feel remorse. I was reminded for the irony in Mr. Justice Black's comment that "Great nations, like great men should keep their word." Those words were spoken in dissent as Indian land was taken from the Tuscarora nation. Let us be fair and recognize the educational needs apart from budget considerations. As President Reagan recently stated, "True fairness means honoring our word." (Press conference, June 28). If the nation cannot afford to meet the need, let us not dilute the intent or the importance. Let us continue to recognize the languages and cultures of all Americans.

I support all groups whose recognition of quality education lead them to oppose this revision. I look to the Hispanic communities and their needs, to the Vietnamese, the Hmong, all of the groups who reside in this country and by law have their children enrolled in the American public schools. But I am here representing my people, and as I look to the others I note that for each of them there is a place where their cultures, their languages, their customs are still practiced. When America takes these things from the Indian people where will they be? Where can we go for them? Perhaps Emerson said it best:

> "For everything you have missed
> You have gained something else,
> And for everything you gain
> You lose something else."

Through Emerson's quotation or cost benefit analysis, what can be gained that will compensate for sacrificing one's need to be oneself? What will be gained that will balance the irretrievable loss of cultures? In light of all stated above, indeed what will be gained?

STATEMENT OF WILLIAM GOLLNICK, ADMINISTRATOR, ONEIDA TRIBAL SCHOOL, WISCONSIN, ACCOMPANIED BY WILLIAM LEAP, EDUCATION DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS

Mr. GOLLNICK. Thank you.

I am honored to be here today. I am here at the request of the committee, that is an honor to me. But I am here also because I have been sent by my people to come, the people of the Oneida Reservation where the Oneida Tribal School is located.

With me today is Dr. William Leap who is the education director for the National Congress of American Indians. I have asked him to be with me today largely to assist me in answering some of your questions, particularly those that may be more national in scope.

Basically the Oneida Tribal School is a tribally controlled contract school which makes our situation, I think, somewhat unique from those who may have testified before.

While my voice is but one as an Indian person, certainly I think this committee can understand perhaps better than most that many times one person representing one group of people has the unfortunate happening of people assuming that this is a voice for all of those people.

I think this committee recognizes that there are many uniquenesses. Certainly, our tribal languages are distinct, our tribal needs are distinct, and certainly many Indian people could come forward today and could share with you many different ideas about the particular needs that they have for bilingual education in their reservations and in their communities.

There are many aspects of H.R. 2682 that I feel must be addressed, however, that are causes for concern: the removal of tribal eligibility for direct applications for assistance. This, I feel infringes upon the Federal-tribal relationship that exists between the Indian nations and the Federal Government as a result of treaty, as a result of jurisprudence, and as a result of legislation.

There are concerns which grow from the emphasis on capacity building at a time when most school budgets are significantly declining. There are concerns relative to the removal of the mandate to spend requirements, and the resulting potential loss of funds.

There is concern that requirements relating to the inclusion of bilingual staff are eliminated through H.R. 2682.

While all of these points are deleterious in our view, and we oppose them categorically, my testimony, I think, relates more to the removal of mandatory language usage in bilingual education programs and the impact that that will have on us, certainly in our community and in many communities in Indian country.

In the proposed legislation there are some points made: section 2, section 702(a), subsections (3) and (4), that educational needs can be met through programs of bilingual education and that no one educational technique or method for educating children of limited English proficiency through programs of bilingual education has been proven uniformly effective.

I have heard these points being addressed from the sense that bilingual education cannot support its vital role. I submit, however, that by virtue of those words being there that there is recognition

that educational needs can be met through the process of bilingual education. And that that assumption is based on the recognition that bilingual education does work. Bilingual education has included to this point the requirement for second language or native language instruction.

If that isn't left as an option to the schools, the native languages may well not be used, thereby reducing one approach that the teachers may have to develop the skills of their students.

It would be an easy and very understandable act for a school from an Indian perspective, in particular for a school with a small Indian population, a small number of students who speak the, in our case, the Oneida language—it would be convenient for the school to say, well, our approach is going to work better than the approach that incorporates your language, so we will decide for you. Unfortunately, that is what led us to become eligible for title VII in the first place.

The schools deciding that the Oneida language, that the Oneida culture, that the Oneida heritage was not significant within that school system; that the needs of Indian students were the same as all students.

Many times I have heard administrators say, my Indian students aren't any different from any other students in my school district. There is a territory problem there. There is also an administrative problem and a budgetary problem, and it would be very convenient to do away with those languages.

I think that would be to the detriment of our students—that no one educational technique or method for educating children of limited English proficiency through programs of bilingual education has been proven uniformly effective.

It seems to me that that means that we need to look at instruments to do the measuring. It seems to me that if we recognize in fact that bilingual education can meet the needs of these students, then there seems to be a need to demonstrate the ways in which that success has been achieved.

Many times the people in the field do not have the luxury of time to write articles for prestigious publications. I think that many of their ideas and input get turned over in the classroom and that is ideally where it should be. For a teacher the process of education does in fact exist in the classroom and not in the journals.

I know in my situation in a tribally controlled school, I do not have the size of staff that I would like to have, nor do I have the budget that could accommodate the kind of staff that I feel could really broaden the scope of our schools, make it the best that it could possibly be. So as a compromise to that situation, my average hours are about 70 a week. That is not unusual. What that means, however, is that I don't have the time to go out and write articles that can be reviewed about bilingual, although my personal feelings and personal experience as related to bilingual education have indicated to me very clearly that there is a continuing need for native language usage or bilingual education as it currently exists.

H.R. 2682 speaks to appreciation of the cultural heritage of Indian children. I submit that the culture is contained within the language. Again, our way, to cite a simple example, if I were to ask an older Oneida person how would you say, "How old are you?"

They would say, "To na to sho sli ya ko." And figuratively, that would translate as, "How old are you?" What it is really saying is how many winters have you broken?

In our language everything that we say ties us back to the earth, ties us back to a culture, ties us back to traditions. There is a different mindset, a different philosophy, a different way of thinking contained within that language. So to say that there can be this respect for culture, at the same time not instructing in the language, is to give with one hand and take with the other.

In the past, you know we can look to the Cherokee 150 years ago who had developed a bilingual program, a very excellent bilingual program. The majority of their people were fluent and literate in that system. But the government at that point felt that it wasn't a government system and all Indians were sent to government schools. So they did away with that, that school that the Cherokee had developed for themselves.

What happened was that the students did not fare very well in the new system. The system that they then became involved in, the government system, was intended to make the transition, was intended to remove the culture, the cultural distinctions by removing the languages. It was a policy that continued until certainly into this time period. My mother experienced punishments for having spoken her language in the school. She was locked in the basement of the school and nearly froze to death, in the middle of winter, because she spoke her language, and it was against the rules.

So that the Indian experience has been different. In the case of the Cherokee, there are still people in North Carolina, there are still people in Oklahoma that speak the languages. But many of them hid out, stayed away from the schools so that they might retain that culture, that pride in who they are.

I am very afraid that if this bill is passed and the languages are not used, the statement referring to the recognition or the appreciation of cultural heritage will be reduced to beadwork and baskets, and those things that are considered to be Indian culture—the trappings, some of the external things, the crafts that somehow get miscontrued as culture. Within our culture there is respect for the earth; there is respect for our place in creation; there is respect for the extended family.

Our whole existence is based upon respect. It is based up on a different view of the world and placement in the world.

As I mentioned, even the process of speaking about how old one is refers to the earth. So that in our way from the cultural perspective, from the language perspective, from the success perspective, because although I have not gone into it specifically, I recognize that the intent of title VII is to make our students proficient in English.

What I am addressing myself to, given at that point is foremost, is the fact that through the process of introducing this legislation, we may be sacrificing the languages and the cultures of the people that are now moribund.

In the past there was formal government policy intended to remove the languages and the cultures from the people and yet, the languages and the cultures survived.

We are at this point required to send our children to school as all people are, but now we are in a situation where the policy again will revert to the local areas, the areas that we have encountered that have not been very receptive to our needs. So the policy continues.

I am not sure how many times the Indian cultures can sustain that. I am extremely concerned.

I feel that it is much better to include as part of this educational process a tangible recognition of the student's reality, something that can allow the student to relate and achieve a harmonious educational experience—balancing the student's needs for social as well as academic growth.

Title VII, as it now exists, I think reflects that concern and has that flexibility.

I am concerned that if H.R. 2682 is instituted, that in many of the schools at the local levels it will not be there.

I am concerned about America ultimately in that these students who may be in bilingual programs now who are left to sink or swim—and I liked your analogy of immersion earlier—these students who are allowed to sink or swim grow up usually feeling very strongly one way or the other. Either they entirely support that philosophy—it is the kind of thing they had experienced it; they survived it, it was good for them; they came through it well: Or there is the other end of the spectrum where they have not survived it; they did not want to put up with it; and it changed their lives because of it.

There are many people out there who have knowledge that could benefit the country, could benefit their respective people within the country, who will be turned off by a process of immersion before they ever grow to fruition.

I don't think that America can allow that to happen.

I know there is concern about the Federal involvement in the development or the requiring of policy for the local levels; concern that perhaps there is an overstepping of boundaries in that within local control, the local school districts should make the determinations.

It seems to me that bilingual education means two languages. If we leave the door open, I think there will be a preponderance of monolingual programs or bilingual students.

I am concerned that that will have an extremely detrimental effect on the growth that America has enjoyed over the last 10 years, 15 years, since certainly going back to even the basis for this law, the *Meyer* v. *Nebraska*.

There has been consistent growth and recognition that cultural diversity is something positive. I think we are coming to a point now where we are being pushed back into the direction of the melting pot, of making everyone the same, compromising the things that they can bring with them, the knowledge that can come in.

It is awkward but there are many cultures that exist out there that have answers to questions that we wonder about. Through the process of the melting pot, those people are not allowed to bring with them what they can contribute. What usually happens is that they have to leave behind all of those things that are different, that are unique; and bring to America what America wants to see.

Many of those answers, I feel, can be lost in that process.

I think the process of education—I don't think the process of bilingual education carrying the priorities for native language instruction to the schools is an infringement upon the local rights. It has been often mentioned today that the title VII program is a competitive program. It recognizes that it allows the people at the local level to recognize that there is a need for bilingual education in their area, and to apply for those funds in a competitive manner to receive those funds. There is not a Federal mandate which requires that they accept the funding. There is not a mandate that says how many hours they will instruct, how they will instruct.

So I think it is very clear that the schools have made their choice, that they are willing to offer bilingual programs as they now are structured if they submit those applications. If their interests or their concerns, or if the needs of the students are something other than that which is available under the bilingual laws as they now exist, then it seems that funds should be acquired from another funding source, or other priorities should be established to meet those other needs, because I think it is clear that the bilingual needs and the way the bilingual legislation was originally drafted speaks to a specific type of student, a specific set of needs.

And I think to change that legislation is to compromise those students.

We were talking a little bit earlier today about the budget and about how there had been a $400 million authorization.

I would like to take an excerpt from my written testimony—it is on page 6—looking at the original title VII legislation, recognizing the magnitude of the need that was then understood, looking at the authorized appropriations that were intended to meet this country's bilingual needs: all led me to feel remorse.

I was reminded of the irony in Mr. Justice Black's comment that "Great nations, like great men, should keep their word."

Those words were spoken in dissent as Indian land was taken from the Tuscarora Nation.

Let us be fair and recognize the educational needs apart from budget considerations.

As President Reagan recently stated, "True fairness means honoring our word." If the Nation cannot afford to meet the need, let us not dilute the intent or the importance. Let us continue to recognize the languages and cultures of all Americans.

I support all groups whose recognition of quality education lead them to oppose this revision. I look to the Hispanic communities and their needs, to the Vietnamese, the Hmong, all of the groups who reside in this country and by law have their children enrolled in the American public schools.

But I am here representing my people. And as I look to the others I note that for each of them there is a place where their cultures, their languages, their customs are still practiced.

When America takes these things from the Indian people, where will they be? Where can we go for them? Perhaps Emerson said it best:

"For everything you have missed
You have gained something else,
And for everything you gain
You lose something else."

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Through Emerson's quotation or cost-benefit analysis, what can be gained that will compensate for sacrificing one's need to be oneself?

What will be gained that will balance the irretrievable loss of cultures? In light of all stated above, indeed what will be gained?

Thank you.

Mr. CORRADA. Thank you very much, Mr. Gollnick, for your testimony, remarkable as it is. We appreciate very much your responding to the interest of the subcommittee in appearing before us today to express your views.

Let me ask you a few questions.

If title VII funds had not been available for support of the Oneida and English program at your school, what alternate funding sources would you have been able to tap to provide those services?

Mr. GOLLNICK. As it currently exists, there are other sources one could look to—title IV, perhaps, for the Indian Education Act. One could look at perhaps other funds, perhaps State funds. But I think what is critical is that all of the funds that all of the alternative sources that we might look to at this point are drying up or are currently in jeopardy, cannot be counted on for any time even beyond the near future.

Mr. CORRADA. How much of the operating costs of your language training programs are funded through tribal resources or budgets? Do you have a figure on that?

Mr. GOLLNICK. Currently there is minimal tribal contribution to the effort. That does not, however, speak to the concern for the project. That speaks, rather, to the realities of the tribe's needs. It speaks to the fact that, especially in these economic times, many, many people are returning to our reservation. And as they return there is insufficient land left on which we can put the people. The tribe's limited funds are being channeled toward reacquisition of land to accommodate those other needs and that must be a continuing priority.

Mr. CORRADA. Could the tribal operating budget absorb the costs of these programs if Federal title VII resources were unavailable?

Mr. GOLLNICK. Categorically, no.

Mr. CORRADA. Would you say that the language needs of the Oneida are typical of those of other native American populations?

Mr. GOLLNICK. Yes, I would. I feel that, based on my experience, it seems that the majority of the tribes, certainly east of the Mississippi, and many of the other tribes throughout the country, are in almost an identical situation to ours. I think while the Navajo, for instance, who have a great many materials developed for their language, is much different and indeed is the exception.

Mr. CORRADA. Does title VII effectively address the needs of limited English proficient Native American students both on and off the reservation, in your opinion?

Mr. GOLLNICK. Title VII as it currently exists, will go much further to do that than it will under H.R. 2682 because the tribally controlled schools, the schools with high concentrations of Indian

students, will continue to operate pretty much the same way under either condition.

The public schools, where there are a smaller number of students, the public schools that are in districts that surround Indian communities and may not have complementary relationships with the reservation communities—I could see almost immediately adjusting their focus away from a language involved program.

I think ultimately the people who are on the reservations in high concentrations will be able to continue to operate programs that will meet their need with one assumption: that within H.R. 2682, the clause speaking to familiarity in a language other than English, or the first language be a language other than English not be implemented.

That one point will exclude the majority of the Indian people who could receive services under this legislation.

Mr. CORRADA. That is precisely what my next question related to that point. As you know, H.R. 2682 would give highest priority to those children whose usual language is other than English, given the shortage of funding for title VII programs in relation to the number of eligible students, what impact do you predict this would have on choosing participants under the program? And how would the usual language criteria be measured at the local level in reference to the Oneida tribe?

Mr. GOLLNICK. Well, that is a lot. In the Oneida situation, one of the things that not only led to the development of the title VII program in our community but also led to the development of a tribal school in our community, was the fact that the four public schools that divide our reservation could not meet the needs of our students. Clearly the test results, SRA results, in the four districts, indicate that while the districts that surround us are consistently quality schools, their testing is at or above national norms.

Our students are consistently 20 points below the other students for the school average. Many of our students were leaving the public schools to go to Bureau of Indian Affairs boarding schools. They could not survive in those schools.

It is clear to me that unless there is something, if there is title VII in particular in this case, made available to these students, there will be nothing in the schools that will attract them, that will hold them.

The data suggests clearly that they are not succeeding there, they are not staying there, they are looking for options.

It is important to note that since the tribe has established its tribal school and since title VII is involved in the tribal school, since about 70 percent of our students are LEP students, the schools that surround us do not have title VII programs. I think they are content to let us attempt to meet the needs of our students with whatever means we have.

I think they were delighted to see our school be developed because it meant that they did not have to deal with the problem. I think if suddenly that problem reemerged because our students were not eligible, their limited English proficient students, we can demonstrate that it relates to their language heritage, their consistent patterns of language that have carried over from Oneida to English, their consistent problems that reoccur that have explana-

tions within a cultural realm; but they are not speaking Oneida more times a day than they are English.

If the definition went to depending on how the definition was established at the local level, I could see that being established by the schools in their best interests as well, which may not always be in the best interests of the students.

If the Oneida students were ineligible totally, I would be fearful for the—we are expecting 150 students for the fall will be returning to those public schools and will be without a program to support them.

Mr. CORRADA. Thank you.

Do you believe that H.R. 2682's emphasis on flexibility in the instructional methodology and the removal of requirement that native language be a part of the delivery service will enhance services to Indian education as a whole to the Oneida tribe?

Mr. GOLLNICK. I think the flexibility concern here is an important one. I think there may be a point that has not been fully addressed in H.R. 2682 and that is that relationship between the tribes and the Federal Government. I think based on the fact that the tribes have unique relations with the Federal Government that their treaty relationship establishes a Federal to tribal link that the opportunity for the tribes to make determinations for the policies for their students continues to exist as part of what is referred to as retained rights: the right to self-government. Then it becomes a matter of who will pay for those priorities.

The flexibility for public schools, I think can be a positive or a negative thing, depending on the administration of that particular school, the location of the school and so on.

I feel that within our communities, within our school, we can set the standards, we can recognize the needs of our students and we can address them through language instruction.

I think if the schools, the public schools choose not to recognize language, then they are not teaching a bilingual program any longer; they are teaching a program for bilingual children but it is not a bilingual program. And I question whether or not it can recognize the culture as well as linquistic needs of the students.

Mr. CORRADA. I have some questions concerning data. If you should have them available now we would appreciate having them; if not, you could supply these for the record at a later time.

[Prepared statement of National Congress of American Indians follows:]

PREPARED STATEMENT OF THE NATIONAL CONGRESS OF AMERICAN INDIANS

THE ADMINISTRATION'S PROPOSED REVISIONS FOR TITLE VII, BILINGUAL EDUCATION ACT: WHAT IMPACT ON INDIAN EDUCATION?

1. *Background.*—Once again the administration is attempting to change and redirect the support given to bilingual education through Title VII and the Office of Bilingual Education and Minority Language Affairs. This year's proposed Amendments differ in several ways from the Amendments introduced on the Senate side in 1982. The underlying theme remains the same, however: a narrowing of the federal policy focus underlying support for bilingual education out of the Department of Education; a transfer of decision-making authority to the LEA's operating bilingual programs; with the priority in services now going to students who speak no English language at all.

The comments in the following pages has been prepared by NCAI to assist Tribes in their assessment of the administrations proposals. Copies were distributed to Tribal educators on July 25, 1983. This statement is being submitted, in a slightly revised form, for inclusion in the record of the Elementary, Secondary, and Vocational Education Subcommittee's Hearings on H.R. 2682, August 3 and 4, 1983, to augment the testimony provided to the Subcommittee by William Gollnick, principal, Oneida Tribal School, Wisconsin.

2. *A summary of the proposed amendments.*—Changes in the existing Title VII legislation which will be made if the Administration's Amendments are enacted into law included the following:

2.1. *Policy.*—Section 702(a) currently declares it U.S. policy to encourage the establishment and operation of programs using bilingual education practices and, for that purpose, to provide financial assistance to LEA's and to SEA's to enable the LEA's to carry out such programs. The focus, then, is on financial support.

The Administration's Amendments refocus this statement of priorities. The findings which precede the policy statement in 702(a) are reworked to highlight student English need and to de-emphasize the educational impact of student fluencies in other languages. The findings also stress the critical role which local schools must play in addressing those English needs. Based on that, the Amendments declare it U.S. policy to encourage the operation of education programs using a variety of bilingual education techniques. Then the Amendments clarify what is to be meant by "encourage", indicating that the federal government will provide financial assistance under the act to help LEA's develop student English competency; to help LEA's develop and implement "model" programs; to help the states strengthen their involvement in bilingual education; and to help support bilingual vocational education programs for out-of-school young people with limited English proficiency.

The Amendments maintain the existing focus on financial support for local bilingual projects. However the Amendments to section 702(a) also make it clear that federal financial support is no longer going to be directed toward traditional Title VII goals, And the remainder of the proposed Amendments specify in some detail the nature of these "new" directions.

2.2. *Target population.*—Section 703(a)(1) as presently worded defines "limited English Proficiency" to include: (a) individuals not born in the U.S. or whose native language is other than English; (b) individuals who come from non-English language dominant backgrounds: or (c) in the instance of American Indian and Alaskan Native students, individuals whose English proficiency has been directly affected ("had significant impact") by some language other than English; and who, because of one of the conditions, have difficulties in English-language classroom.

The Amendments proposed no changes in the definition of "limited English proficiency", per se. However, the Amendments do propose changes elsewhere in the Act which, if enacted, will restrict the size of the Limited English Proficient population currently eligible for services under the Act. Amendments to Section 721(b)(4) will give high priority to proposals coming from diverse geographic locations and to projects proposing to serve students who traditionally have not be able to receive Title VII instruction. A new provision is to be added to section 721(b). This will give students whose "usual language" is other than English (so-Called NEP students) higher priority for services, and students already proficient in English at some level (regardless how "limited") a lower priority accordingly.

2.3. *Definition of bilingual education.*—Section 703 (a)(4) defines a program of bilingual education as a program designed for LEP students, which gives instruction in English and, to the extent necessary to allow the students to achieve competence in English, instruction in the students' native language. Instruction must include attention to the heritage of the students and of all other students in American society. And instruction must be designed to assist the students move effectively through the educational system.

The proposed Amendments tighten the focus of this definition. The revised section 703(a)(4)(A) defines a bilingual education program as a program designed to help eligible students acquire English language skills. The program must include appreciation for the heritage of the students in the program. And the program must be designed to help the students move effectively through the educational system.

Missing from the definition are references to the use of home or native language in the bilingual program. This does not mean that the students' language may not be used, only that—under the terms of the Amendments, students, home language or native language do not have to be used, in order for the proposed language arts program to qualify as a bilingual program.

2.4. *Uses of funds.*—Section 721(a) of the current Act indicates that Title VII funds shall be used to establish and operate programs of bilingual education as well

as to support auxilliary and supplementary activities in schools and communities which further the work of the school-based program. Training programs and planning and other technical assistance functions are also to be supported under the terms of the current Act.

The proposed Amendments authorize the Secretary to award grants to LEA's which demonstrate a need to build capacity for serving LEP students enrolled in their schools. Funds are to be used for the same purposes as identified in the existing Act. The "mandate to spend" provision currently found in the legislation is deleted, however. The Amendments give the Secretary the authority to made awards; but the Amendments do not require that the Secretary exercise that authority in any given fiscal year.

2.5. *Eligibility for application.*—Section 721(b)(1) of the Act notes that LEA's, applying individually, in consortia, or in cooperation with IHE's, are eligible to seek funding under this program. The applicant's proposal must contain the information the Commissioner (now the Secretary) deems necessary, leaving the bulk of the application criteria to be specified by the Secretary through regulations. The existing Act specifies only that the application describe the activities the program will carry out, if funded; and provide evidence that these activities, if carried out, will provide necessary bilingual services to eligible students.

The Amendments reduce the amount of discretionary authority the Secretary may use when establishing application criteria through regulations. The Amendments require the following information be specified within any application: a description of the linguistic and educational needs of all of the LEP children eligible for service within the given school district; then indication as to how many of those students will be served by the project if funded; evidence that the language (and read that English language) needs of these students will be able to be met by the program of instruction proposed in the application; assessment of the applicant's ability (read that existing capacity) to provide the necessary services, along with precise indication of the local needs for further training and development. And, if appropriate, the application must also indicate the progress achieved, to date, in building local capacity to operate this program; this is required if the LEA has previously received support under Title VII for these purposes.

The provisions allowing for the termination of support to local programs are strengthened, again as part of the legislation and not as something to be negotiated through the regulatory process.

If the Amendments to section 721(b)(1) are enacted, LEA needs in capacity-building, and not student needs in the language proficiency area, will become the basis for determining and applicant's eligibility for services under the Bilingual Education Act.

2.6. *Personnel.*—Section 721(b)(3)(C)(i) requires that the proposed bilingual education program use ". . . the most qualified available personnel, including only those personnel who are proficient in the language of instruction and in English, to the extent possible . . . ." Section 721(b)(3)(H) reiterates the same point, requiring that the applicant demonstrate that personnel hired by the project will, to the extent possible, be bilingual.

The proposed Amendments alter the wording in both sections. Teachers working in the Title VII program need be proficient only in English, and English proficiency is now a prerequisite for program employment. If a program uses students' home or native language as part of its language arts program, then the teachers may be proficient in that language--to the extent that the language actually is used within the classroom. But, according to the Amendments, only persons other than teachers need to be proficient in English and in any other language used to provide instruction. And the new wording for 721(b)(H) leaves it uncertain whether bilingual proficiency is required even for those individuals.

2.7. *Duration of Federal Assistance.*—Section 721(e)(1) indicates that an application may seek support for projects planned for one to three years. If more than one year of funding is to be granted, new applications are not necessary in the following years during that period.

The proposed Amendments expand the time range for project funding from three to five years. The Amendments require a new application for each year after the funding was initially granted. This guarantees, among other things, that the need for capacity-building, and therefore for external support to the LEA, still has not been fully met. The Amendments also make it clear that no LEA will be eligible to receive funding for any period longer than five consecutive years, so re-application, as currently permitted, is no longer allowed.

2.8. *"Indian children in schools."*—Section 722 of the Act allows Tribally operated schools and bilingual programs operated in BIA schools to be eligible recipients of

Title VII funds. This section also mandates the preparation of a Report on the language needs of Indian students as may be relevent to the terms of the Act.

The Administration has proposed no amendments to this section.

2.9. *Training.*—Section 723(a)(1) allows the Commissioner to provide for the training needs of Title VII programs, both by funding short term training institutes and by setting up degree-related training programs in IHE's and related entities.

The proposed Amendments authorize the Secretary to award grants for training-related purposes. The "mandate to spend" provision currently included in this section has been deleted. This gives the Secretary the authority to spend, but requires him to use it only at his discretion.

Section 723(a)(4) requires that the Commissioner give priority in awarding training grants and contracts to applicants with demonstrated experience and competence in the field of bilingual education. The Amendments propose to delete that provision. Instead of demonstrated competence, priority is now to be given to training efforts located in geographic areas with the greatest need (presumably this means unmet need) for training services.

2.10. *The Amendments propose a new section—724—to the Act.*— Section 724, if enacted, would give legislative authority to the Secretary to funding, at his discretion, demonstration projects. These projects would be designed either to test out effective and innovative approaches for meeting the language needs of eligible students; to evaluate and validate new instructional techniques; or to disseminate findings from these projects' activities.

Demonstration projects are now enable through provisions in the Title VII regulations.

2.11. The Amendments propose a new section—725—allowing the Secretary to provide funds to SEA's so that state-level involvement in Title VII activities can increase. State involvement under this section would include reviewing, evaluating, and otherwise supporting the purposes of Title VII as defined in the Amendments, Technical assistance responsibilities are especially to be highlighted. Funds for the SEA agreements are to come out of the same budget line providing funding for the LEA and IHE grants. One stipulation is noted: SEA's cannot use federal funds to replace or supplant funds they otherwise would have allocated for bilingual-related support services in their schools.

Section 725, as proposed, greatly enlarges on the OBEMLA-SEA agreements currently allowed through section 721(b)(5) of the Act. The amount of funding to be awarded to SEA's will now exceed the minimal percentage which section 721(b)(5) currently authorizes to eligible states upon application.

2.12. The Amendments propose a new section—726—to enact into law what is currently being carried out through administration. OBEMLA already manages the funds supporting bilingual vocational education programs. Section 726 would include the authority to fund bilingual vocational education projects within the terms of the Bilingual Education Act. Here, as elsewhere, the Secretary is granted authority to fund these projects, upon application; here, as elsewhere, the Secretary is given no "mandate to spend", so support of bilingual vocational projects is something left to the discretion of the Secretary.

2.13. *Support services and activities.*—Section 741 of the existing Act allows OBEMLA and NIE (the National Institute of Education) jointly to supervise activities under Part C of the Act. The proposed Amendments eliminate section 741, thereby eliminating the Assistant Secretary's authority to promulgate regulations and delegate functions under this part of the Act. The effect of the proposed repeal of section 741 is unclear, though it would seem greatly to restrict OBEMLA's ability to develop research, technical assistance, and support services programs under its own, regulatory initiative. The authority to consolidate the BESC, MDC, and EDAC's into a smaller number of "multifunctional centers" (MFC's) would be rescinded, for example, if Section 741 were to be deleted as here proposed.

Section 742 of the existing Act is to be renumbered 741. The research activities listed in the existing Act are to be retained. An additional activity is also added, allowing the Secretary to support research exploring alternative forms of language arts instruction for LEP students. Contracts supporting developing of bilingual education materials and supporting the dissemination of information in bilingual education are not affected by the Amendments.

3. *Analysis.*—Several issues raised by the proposed Amendments need to be highlighted, so that their potential effect on the language education of Indian students can be more accurately assessed.

3.1. *The stress on flexibility.*—Currently, the legislation and the regulations accompanying it require the use, to some extent, of home or native language as well as English language within any bilingual program supported by the Act. The

Amendments make it clear that the question of "extent" is something to be resolved by each local school as part of the process of program design and proposal development. Neither the Amended legislation nor the Office administering it (OBEMLA) are allowed to impose any single remedial strategy on the applicants as a condition of federal funding.

The variety of uses made to Title VII funding in the projects currently serving the language arts needs of Indian students provides ample evidence that some level of flexibility is already allowed under the existing legislation. There have been instances where Tribes have been forced to redefine their priorities in language education before submitting, or endorsing, Title VII proposals. So in that sense, amending the Act to increase the level of flexibility in program design seems very appealing.

Yet the flexibility being proposed under H.R. 2682 is directed at the LEA's, not at the tribes. And the increases in program flexibility are designed to benefit the interests of local school officials and not the interests of Tribal governments.

Flexibility and locally centered decision-making are workable concepts in Indian education only when decision-making is guided by the educational needs of Indian students as established by Indian Tribes. The Amendments do not require, nor do they acknowledge the need for, consultation with Indian parents, much less with Tribal governments or Tribal Departments of Education, as part of the process of proposal development. Without clear-cut guarantees to secure the active participation of those parties, there is nothing to prevent LEA's from designing Title VII projects strictly in terms of the school's perceptions of student language needs. At best, the outcome would convert Title VII services into something like a highly targeted variant of Chapter I. At worst, since LEA's remain accountable only to themselves on these matters, the outcome would find school districts simply making no effort to respond to the special language needs of Indian students. Such has been the history of Indian language education prior to the inception of federally supported Title VII services. It would be most unfortunate to see Amendments now enacted which would return Indian language education to the condition it occupied prior to 1968.

3.2. *Reduction in OBEMLA's regulatory and discretionary authority.*—Under the present arrangement, OBEMLA has been given wide latitude over the Administration of the funds appropriated for Title VII purposes. Experience has shown that, even with this latitude, OBEMLA remains largely insensitive to the concerns of Tribal governments regarding bilingual education and Title VII support for Indian education. Tribal consultation is not part of the management vocabulary of that office; the opinions of Tribal governments regarding proposed changes in existing policies or regarding new policy directions. The inconsistent and uncoordinated treatment to be given to the Indian Title VII programs under the scope of work for the new "multifunctional centers" (MFC's) is one example of policy developments carried out in this fashion. OBEMLA's refusal to recognize Tribal governments as eligible LEA's, or even to grant the Bureau of Indian Affairs "51st state/SEA" status under the terms of the Act, are two other examples. Section 703(a)(1)(C) remains unregulated (in spite of the mandate Congress placed within this section when the law was passed); this leaves the Tribes without guidelines against which programs responding to the unique needs of Indian students can be planned or evaluated. And, in spite of Congressional cautions to the contrary, OBEMLA has refused agressively to seek out and hire qualified Indian and Alaskan Native candidates for staff and support staff positions within that Office.

Meanwhile, more that 62% of the Indian and Alaskan Native students who need bilingual education services are not receiving those services.

Congress made it clear, when the Act was amended in 1978, that the language needs of American Indian and Alsakan Native students are to be served through Title VII's activities. The reductions in OBEMLA's discretionary owers and its regulatory freedom will make it considerably more difficult for OBEMLA to continue sidestepping its responsibilities in Indian education.

3.3. *Maintenance of the "Indian" sections in the Act.*—Left unaltered by the proposed Amendments are sections 703(a)(1)(C) and the whole of section 722. These are the two places in the Act, as currently written, where Indian needs are acknowledged and services to Indian students are specifically recognized. Through its decision not to amend, alter, or otherwise refocus the terms of these two sections, the Administration has tacitly affirmed Title VII's responsibility to provide educational services to American Indian and Alaskan Native students. The obligations of these two sections extend over the whole of the Act. regardless of the alterations proposed by the Administration to other sections. And this becomes a significant basis for negotiation with Congress and with the Administration, as discussion on the proposed Amendments continues on the Hill.

4. *Where the amendments may be harmful to the tribes.*—There are points within the Amendments which could prove to be harmful to Tribal interests in language education and bilingual instruction. These points include the following:

4.1. *Tribes ineligible to apply for services.*—The administration promised to utilize the government-to-government and consultation principles as the cornerstone for every instance of its policy-making in Indian affairs. (see the White House Policy Statement on Indian Affairs, January 24, 1983). In spite of this promise, the proposed Amendments to not extend eligibility to receive Title VII grants to Tribal governments. So under the Amendments, just as is presently the case, Indian students enrolled in public or BIA-operated schools are able to receive Title VII services only if the school decides to apply for those services. If the Tribal government cannot convince the school to make application (and, ultimately, to take on the responsibilities for the continuation of the program, once the federal funding ends), the students' language arts needs continue to remain without remediation. We are all familiar with the high levels of on-reservation unemloyment, the low incidence of Indian people in the careers and professions, and the other human consequences of these administrative failures.

Extending LEA-status to Tribes for purposes of this Act would do much to correct this situation. It would mean, for example, that Tribes could set up and operate their own "bilingual education programs", either within the local school or after school. If Tribes take responsibility for these projects, Tribes would not have to spend frustrating hours trying to convince non-Indian controlled school district authorities that they should shoulder these burdens.

Extending "LEA-status" to Tribes would help in a second way. It would assure that school-based programs receiving money "on behalf of" Indian students are actually spending that money on projects which address those students' language needs. For if Tribes were granted LEA status, and if a local Title VII project was not meeting its responsibilities in Indian education. Tribes would then have a mechanism which would allow them to assume responsibilities for the management of the project and for the quality of services the project makes available to Indian students at that school.

4.2. *The "NEP" priority.*—The Amendments propose to give high priority to language projects which will assist students whose "usual language" is not English (see section 721(b)(4)). If these projects actually become OBEMLA's priority, then the number of Indian students eligible for Title VII services will decrease from over 100,000 students (the current figure) to something less than 5,000 students. Such a reduction in Title VII's service population may fulfill certain. Administration interests in cutting back on the federal commitments to spend wherever possible. In the present case, however, the change in definition of eligibility would exclude a large number of Indian students who need Title VII bilingual education services—the students who, as stated in section 703(a)(1)(C) ". . . come from environments where a language other than English has had significant impact on their level of English proficiency".

For these students, the "usual language" is English. But the English they speak and the English they use for in-class activities when they attend school is often found to be heavily influenced by the grammar, the pronounciation patterns, and the vocabulary distinctions of their Tribe's ancestral language. The English is not that of the (non-Indian) teacher, the textbook, or the school curriculum. These students' language needs are best addressed through a coordinated program of Indian as well as English language arts instruction. The Act as currently written allows Title VII funding to provide support to applicants seeking to operate bilingual programs in response to these students' unique language needs. The proposed Amendments do not view "Indian English" fluency as an issue to be resolved through "bilingual education". A large portion—95%—of the Indian students who need bilingual instruction would no longer be eligible to receive bilingual instruction, if the Administration's proposal is enacted into law.

It remains to be determined whether the proposed emphasis on "usual language other than English" contradicts the special eligibility given to "Indian English" speaking students through section 703(a)(1)(C). Findings which conclude that 703(a)(1)(C) cannot be pre-empted by any "shift in emphasis" proposed elsewhere in the Act will help address this problem, in part. But even a favorable determination in that instance leaves unresolved a larger contradiction: how can the Administration claim to be adding greater flexibility to the uses of Title VII funds while at the same time restricting the size of student population eligible to benefit from those funds? Until that mater is resolve (hopefully through legislative action and not through regulations), Tribal interests under Title VII will remain highly vulnerable.

4.3. *The Stress on Capacity-Building.*—As detailed in a preceding section, one of the major changes proposed through the Amendments calls on Title VII to shift from service to capacity-building. That is, LEA's will no longer be funded because they have a student bilingual need, but because the proposal has shown evidence that the LEA is prepared, with federal assistance, better to respond to that need.

No group of schools in the country could benefit more directly from an increased commitment toward local capacity-building than could the schools serving Indian and Alaskan Native students. Whether the Amendments will allow Title VII to provide the kind of capacity-building assistance which the Indian and Alaskan Native schools require is another matter entirely. The Administration's proposals treat capacity-building as some sort of transitional process, whereby after an ingestion of federal dollars over a given period of time, LEA's will become better enabled to respond to the language needs of their students. In Indian education, money is not the only ingredient missing from the current scene in Indian language education. Effective diagnostic and screening instruments have yet to be developed for most Indian languages. Curricula which integrate Indian and English language arts development are missing from most Indian schools. There are far too few trained and certified teachers of Indian bilingual education, and even fewer qualified and experienced Indian classroom aides.

Evaluation procedures which meaningfully measure a program's impact on student language and cognitive development have yet to emerge at most sites. LEA acceptance of Indian bilingual instruction may vary from outright support to open hostility; the same range of reactions must also be reported where Tribal commitments to such language programs are concerned. ALL of these issues will have to be addressed as a part of any federal commitment to capacity-building in Indian bilingual education. It is doubtful, especially given the proposed reduction in Title VII's budget authority which accompanies all of these changes, that an amended Title VII effort will be able to do much toward meeting those goals. Add to that the fact that capacity-building in Indian education is an ongoing federal responsibility, as provided for under the Treaties, Trust agreements, and other Congressional actions. Capacity-building is not the transition between current condition and termination of federal assistance. In these and other ways, the Administration's commitment to convert Title VII into a capacity-building program poses serious threats Tribal self-determination through education.

4.4. *Increased sea involvement.*—The Amendments propose to expand the roles to be played by State Education Authorities (SEA's) in the management and in the technical assistance provided to local Title VII programs. Leave aside the question whether the SEA's are prepared technically and philosophically to provide quality services to Indian language projects. Concern has to be raised regarding the shift in responsibility which an expanded SEA role in Indian bilingual education will bring about. The federal government is bound by Treaty and Trust Agreements to provide quality services in education to Indian students; the states operate in terms of no such obligations. Federal services in Indian education political right, offered in recognition of the political status of the recipients and the political relationship between the federal and the Tribal levels. State services in education fall in the civil and not the political domain.

Recognising these distinctions, Tribes have always resisted any attempt by the federal government to turn over responsibilities in education to State or local governments. Tribes do not challenge the sovereign authority of States and localities to undertake their own rights to decision-making in education. The point is, the sovereignty of Tribal governments lies outside of State and local domains. And any proposal to provide services to Tribes as if they were a part of those domains sets a dangerous precedent for further attempts to weaken the federal-Tribal relationship at later points in time.

4.5. *Elimination of the "mandate to spend."*—One of the more problematic of the changes proposed through the Amendments is the elimination of the "mandate to spend". At several places in the Act, language which originally said that the Secretary shall enter into contracts or shall award grants to applicants has been changes. Replacement language indicates that the Secretary may award grants, is authorized to award grants, and the like; but does not indicate that the Secretary is required to follow-through with those actions.

The change is serious for several reasons. The Government Accounting Office determined on May 6, 1982, that the Executive branch has no authority to impose rescissions on federal funds appropriated for federal programs, if the legislation enabling those programs contains a "mandate to spend". If such a mandate is there—that is, the legislation directs the Department to spend the appropriated funds, then the intent of Congress cannot be violated and the funds appropriated for the given

purpose shall be used for that purpose. If the legislation does not contain a spending mandate, then rescissions, impoundments, and the like are permissible; and under those circumstances, funds appropriated for various purposes as defined in the Act need not be spent should the Administration choose that line of action in any fiscal year.

The Administration's proposed amendments takes Title VII out of the "mandate to spend" category. That shift opens the door for legal imposition of budgetary rescissions whenever the Administration needs to bring the Department of Education's budget "back into line". A large reduction in the appropriation level for Title VII is already being proposed in the Amendments. To tamper further with the fiscal stability of the Act holds serious consequences both for program quality and program continuity.

4.6. *Changes in personnel requirements.*—The Amendments no longer require LEA's to hire persons who are fluent in the students' ancestral language to serve as teachers in the Title VII program. These types of hiring criteria have been characteristic of Indian education programs providing services to the Tribes since the middle of the eighteenth century (if not before). The history of Indian education in America provides ample evidence that programs staffed by persons that unfamiliar with student home and Tribal background always do more harm than good, regardless of the staff member's best intentions. How a program of bilingual education—or even a program of English-only instruction designed to remediate English language problems brought about by active or passive fluency in the ancestral language—can be expected to operate effectively when key staffpersons know nothing about the background language is difficult to understand, indeed!

5. *Conclusions.*—This document has been designed to outline issues of potential concern, so that Tribes and Indian educators can draw their own conclusions about the strengths and weaknesses of the Administration's proposed Amendments. In some instances, specific problems in the proposals can perhaps be corrected through a rewording of the specific Amendment. Granting Tribes LEA status under the terms of the Act is one example of such a change. In other instances, correction may require a major revision in the whole focus of the Amendment package—the "usual language" priority, for example. Tribes will need to remember, throughout their analysis of the Act, that many constituencies have a stake in the services provided by the Act. Title VII has always had a low-keyed Indian profile and probably, regardless of outcome here, will continue to operate on those terms. That makes it all the more important for Tribes to be certain that the Amendments, regardless of final form, do no damage to the delivery of educational services which Tribes currently receive from the federal level. It may seem unfortunate that Tribes have to evaluate the proposed Amendments against political criteria external to the workings of the Title VII program itself. But such political assessments are quite necessary, given all of the issues facing the Tribes in the summer of 1983.

Mr. CORRADA. Do you know how many school aged Native American children are there currently?

Mr. GOLLNICK. Nationally?

Mr. CORRADA. Yes.

Mr. LEAP. That depends on how you want to count Native American. The figure can be as high as over 400,000 if you include self-identification.

The Bureau of Indian Affairs recognizes about one-third to one-half of that number as being eligible for Federal benefits. So the figure could vary anywhere from 220,000 to about 440,000.

Mr. CORRADA. Are there any estimates as to how many of those could be considered limited English proficient?

Mr. LEAP. There aren't accurate estimates because we don't have accurate data gathered either by Census or by the Bureau of Indian Affairs, or by the Department of Education. We have one study completed in 1978 which attempted to assess the numbers of Indian students in BIA schools, in contract schools, and public schools receiving BIA funding.

That study showed that about 42 percent of those students come from communities where the dominant language is Indian or Alas-

kan Native. Forty-nine percent of all those students speak and understand the language at some level of proficiency. Sixty-six percent of all of the students come from homes where the ancestral language is commonly spoken. And 45 percent of the whole group come from homes where the ancestral language is dominant.

Mr. CORRADA. Do you have figures concerning what percentage of Native American children who would be eligible, or should be eligible, for bilingual education because they are limited in English proficiency are actually receiving services in bilingual education?

Mr. LEAP. If you use the definition in section 703(a)(1)(c) of title VII as currently worded you would find that about 82,000, possibly higher than that, but at least 82,000 of the students in BIA schools, or public schools, receiving BIA funds, 82,000 students would be eligible to participate in a title VII program.

Now, of that number, 15,000 are currently participating in a title VII program. Another 15,000 are receiving some kind of bilingual bicultural instruction through funding or revenues or sources or program-supported other than through title VII. But at least 82,000 Indian/Alaskan Native students who need services, we suspect the figure is higher than that. Fifteen thousand are being served by title VII, about 15,000 being served through other means.

Mr. CORRADA. Thank you.

I now yield to Mr. DiEugenio who has some questions on behalf of Mr. Goodling.

Mr. DIEUGENIO. Thank you, Mr. Chairman.

As Republican counsel for the subcommittee I would like to make one comment and then ask one question on behalf of Mr. Goodling.

First of all, the point that Mr. Goodling made this morning about the authorization figures provided in the 1960's and 1970's, was that they were merely a cruel hoax, promises that could never be fulfilled given the realities and cost pressures of the Federal budget.

What Mr. Goodling desires now is a realistic authorization figure. He feels this subcommittee should debate that issue and then come up with an appropriate figure. He is not wedded to the level provided in the bill.

Then the question to Mr. Gollnick: How do you respond to Mr. Goodling's concern that under current law many limited English proficient students are not adequately served because they are living in financially hard-pressed school districts that cannot now qualify for title VII funds?

Mr. GOLLNICK. I understand that there has been discussion of a possible entitlement basis. I would think that if there would be sufficient funding with an entitlement basis to assure that services were being received at satisfactory levels at the schools. And certainly we would be talking about considerably more dollars than the budget that currently exists and certainly considerably more than the proposed reduction. That may be one answer.

I can appreciate the concerns and the needs in communities that do not yet have programs of services to their students. Certainly the feeling in our community and the concern that we have for the preservation of our language leads me to lend support to anyone

that recognizes that same need and recognizes that that should be part of the educational process for the children.

In terms of a realistic budget amount, I don't know if I could actually speak to that. My microeconomics is much better than my macro. I am not certain how many additional clients would be identified out there, how many additional students would be necessary to make a feasible budget under that kind of format.

Mr. DIEUGENIO. Thank you, Mr. Chairman.

Mr. CORRADA. Thank you.

We want to again express the appreciation of the subcommittee for your appearing today and bringing to our attention very interesting, informative and productive data and views on the matter under our consideration.

Let's hope that you and I will see title VII survive for many winters to come.

Mr. GOLLNICK. Thank you.

Mr. CORRADA. With that, do you care to make a final comment, Mr. Gollnick, or your assistant?

Mr. GOLLNICK. No, I think your closing statement said it for me as well. Thank you.

Mr. CORRADA. Thank you.

With this we finish the hearings for today and the subcommittee will adjourn.

[Whereupon, at 11 a.m, the subcommittee was adjourned.]